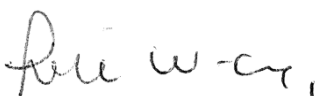


Date of issue: Thursday, 29th November, 2018

MEETING:	LICENSING SUB-COMMITTEE (Councillors B Bains (Chair), M Holledge and Strutton)
DATE AND TIME:	MONDAY, 10TH DECEMBER, 2018 AT 10.00 AM
VENUE:	VENUS SUITE 2 - ST MARTIN'S PLACE, 51 BATH ROAD, SLOUGH, SL1 3UF
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	SHABANA KAUSER 01753 787503

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



JOSIE WRAGG
Chief Executive

AGENDA

PART I

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	Apologies for absence.		
	<u>CONSTITUTIONAL MATTERS</u>		
1.	Declarations of Interest	-	-

All Members who believe they have a Disclosable Pecuniary or other Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Section 4 paragraph 4.6 of the Councillors' Code of Conduct, leave the meeting while the matter is discussed.

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
2.	Guidance on Predetermination/ Predisposition - To Note	1 - 2	-
3.	Minutes of the Last Meeting held on 25th June 2018	3 - 6	-
<u>LICENSING ISSUES</u>			
4.	Review of Premises Licence - Bar H, 254 High Street, Langley, Slough	7 - 134	Langley St Mary's
5.	Exclusion of the Press and Public	-	-
<p>It is recommended that the press and public be excluded from the remainder of the meeting as the items to be considered contain exempt information relating to individuals as defined in Paragraphs 1 and 2 of Part I of Schedule 12A to the Local Government Act 1972.</p>			
PART II			
6.	Private Hire Driver Conduct Hearing (Appellant Reference 01-18)	135 - 148	All
7.	Private Hire Driver Conduct Hearing (Appellant Reference 02-18)	149 - 178	All
8.	Private Hire Driver Conduct Hearing (Appellant Reference 03-18)	179 - 200	All

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Please contact the Democratic Services Officer shown above for further details.

The Council allows the filming, recording and photographing at its meetings that are open to the public. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings. Anyone proposing to film, record or take photographs of a meeting is requested to advise the Democratic Services Officer before the start of the meeting. Filming or recording must be overt and persons filming should not move around the meeting room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non hand held devices, including tripods, will not be allowed unless this has been discussed with the Democratic Services Officer.

PREDETERMINATION/PREDISPOSITION - GUIDANCE

The Council often has to make controversial decisions that affect people adversely and this can place individual members in a difficult position. They are expected to represent the interests of their constituents and political party and have strong views but it is also a well established legal principle that members who make these decisions must not be biased nor must they have pre-determined the outcome of the decision. This is especially so in “quasi judicial” decisions in planning and licensing committees. This Note seeks to provide guidance on what is legally permissible and when members may participate in decisions. It should be read alongside the Code of Conduct.

Predisposition

Predisposition is lawful. Members may have strong views on a proposed decision, and may have expressed those views in public, and still participate in a decision. This will include political views and manifesto commitments. The key issue is that the member ensures that their predisposition does not prevent them from consideration of all the other factors that are relevant to a decision, such as committee reports, supporting documents and the views of objectors. In other words, the member retains an “open mind”.

Section 25 of the Localism Act 2011 confirms this position by providing that a decision will not be unlawful because of an allegation of bias or pre-determination “just because” a member has done anything that would indicate what view they may take in relation to a matter relevant to a decision. However, if a member has done something more than indicate a view on a decision, this may be unlawful bias or predetermination so it is important that advice is sought where this may be the case.

Pre-determination / Bias

Pre-determination and bias are unlawful and can make a decision unlawful. Predetermination means having a “closed mind”. In other words, a member has made his/her mind up on a decision before considering or hearing all the relevant evidence. Bias can also arise from a member’s relationships or interests, as well as their state of mind. The Code of Conduct’s requirement to declare interests and withdraw from meetings prevents most obvious forms of bias, e.g. not deciding your own planning application. However, members may also consider that a “non-pecuniary interest” under the Code also gives rise to a risk of what is called apparent bias. The legal test is: “whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Committee was biased’. A fair minded observer takes an objective and balanced view of the situation but Members who think that they have a relationship or interest that may raise a possibility of bias, should seek advice.

This is a complex area and this note should be read as general guidance only. Members who need advice on individual decisions, should contact the Monitoring Officer.

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Licensing Sub-Committee – Meeting held on Monday, 25th June, 2018.

Present:- Councillors Davis (Chair), S Parmar and Wright.

Officers Present:- Shabana Kauser (Democratic Services), Alison Peters (Legal Services) and Mick Sims (Licensing)

PART 1

24. Declarations of Interest

None were declared.

25. Guidance on Predetermination/ Predisposition - To Note

Members confirmed that they had read and understood the guidance on predetermination and predisposition.

26. Minutes of the Meetings held on 19 February 2018 and 6 March 2018.

Resolved – That the minutes of the meetings held on 19th February 2018 and 6 March 2018 be approved as a correct record.

27. Application to Vary Premises Licence - BP Oil UK Ltd, 575-581 London Road, Slough

The Chair welcomed all parties to the meeting and following introductions, confirmed that all had received a copy of the paperwork.

Introduction by the Council's Licensing Manager

Mr Sims, the Licensing Manager, outlined the three objections that had been received in response to the statutory notification carried out following receipt of the application to vary the premises licence. The Members of the Licensing Sub-Committee were reminded that all objections had to relate to one of the four licensing objectives and could not be frivolous or vexatious.

A petition had also been received from local residents citing concerns regarding the number of individuals congregating in the immediate vicinity, creating a nuisance and anti-social behaviour.

It was made clear to the Licensing Sub-Committee that no objections had been received from any of the responsible authorities including Thames Valley Police and the Neighbourhood Enforcement Team. In addition, none of the ward Councillors for Colnbrook had commented on the proposed variation.

Licensing Sub-Committee - 25.06.18

Questions to the Licensing Manager

A Member sought clarification as to how many other petrol stations in Slough had a licence for the sale of alcohol for 24 hours a day. It was noted that the majority of petrol stations had 24 hour licences in place for the sale of alcohol.

Representations made on behalf of BP Oil Limited

Mr Botkai, on behalf of BP oil Limited, outlined the reasons why an application to vary the premises licence had been submitted. The existing premises licence allowed for the sale of alcohol between the hours of 8am and 11pm. The property in question had been a petrol station for a number of years and there was no knowledge of the property being a focus of disorder or disturbance, which was reflected in the fact that there had been no objections received to the application from any of the responsible authorities.

It was brought to the Sub-Committee's attention that the doors to the petrol station remained open during the evening (as opposed to through a night hatch), allowing for transactions to be undertaken quietly inside the property, which was run by an experienced store manager. Furthermore, the premises were not serviced at night, with Marks & Spencer deliveries taking place early in the morning and fuel deliveries during the day.

The staff at the property also carried out litter patrols during the day and the store manager was not aware of individuals congregating at the property. It was accepted that individuals could purchase alcohol from the station and congregate at the small park nearby.

It was submitted that the application was in line with the practice of other operators in the locality, as many operators were open 24 hours a day. The relaxation of licensing hours would allow for the sale of alcohol to customers who worked shifts or had different shopping patterns and not to serve drunks late at night.

The Sub-Committee were informed that appropriate measures would be in place to deal with any complaints made regarding anti-social behaviour and that there was always the possibility for a review of the premises licence to be undertaken should evidence of problems come to light in the future. It was noted that CCTV was present at the property.

The Sub-Committee were reminded that it was not sufficient for the application to be refused merely on the grounds of speculation of future adverse impact or for reasons that did not relate to any of the licensing objectives. Alcohol was already being sold from the property and in your experience, objections to such applications to vary licences, were based upon a fear of what might happen rather than on the basis of real evidence of a negative impact.

Questions to Applicant's Representative.

It was confirmed that the premises were covered by CCTV which operated on a 24 hour basis.

Licensing Sub-Committee - 25.06.18

Representations made by Interested Party - Mr Maninderpal Matharu

Mr Matharu stated he was a regular user of the petrol station and appreciated having a 24 hour opening was generally positive, but not with regard to selling alcohol all day. He was aware of the gentlemen's club which was located half a mile away from the property which sold alcohol all day, but pointed out the club was not in a residential area and therefore did not attract complaints about such activity.

Mr Matharu showed 5 photographs to the Licensing Sub-Committee of the area adjacent to property. It was explained that Brands Hill was a residential area and that although the Post Office sold alcohol, it closed at 11pm. Mr Matharu stated that in his view, local residents had not complained about the proposed licence variation due to inertia - they were too busy to complain. Furthermore, the size of the public notice in respect of the proposed variation was too small at A5 and suggested that it should be A3 size.

Mr Matharu set out that in his opinion CCTV was not a deterrent to anti-social behaviour and its only use was for evidence. In his opinion, if people wanted to buy alcohol, the hours of 8am to 11pm were more than sufficient.

In summary, Mr Matharu stated that allowing the sale of alcohol all day would not be a positive benefit to the community and objected to the variation on ethical grounds, and stated it was just for profit and was a detriment to the local community.

Summing Up

All parties provided a short summary following which they were asked to leave the meeting whilst the Sub-Committee deliberated.

Resolved – That the application to approve the variation of the premises licence be granted as set out below:

- a) To extend the hours for the sale of alcohol to 24 hours a day 7 days a week.
- b) To remove all the embedded restrictions set out in Annex 2 on the premises licence.
- c) To remove all the conditions set out in Annex 2 on the premises licence.
- d) To include the conditions set out in boxes B and E of Section M of the operating schedule as set out in the report.

Chair

(Note: The Meeting opened at 10.11 am and closed at 11.19 am)

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Licensing Sub Committee – 10th December 2018
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Contains Confidential or Exempt Information	No
Report Title	Premises Licence Review hearing
Premises Details	BAR H 254 High Street Langley Slough Berkshire SL3 8HA Premises Licence Number PL4384
Author(s)	Michael Sims Licensing Manager Regulatory Services
Purpose of Report	Regulatory / Review Hearing for Premises Licence

1. **SUMMARY**

On **23rd October 2018**, David Stride, Housing and Enforcement Officer – Neighbourhood Enforcement Services, (“the Applicant”), brought a Review of the Premises Licence for BAR H, 254 High Street, Langley, Slough, SL3 8HA.

2. **RECOMMENDATIONS**

- 2.1 The Sub Committee are asked to determine the Review.
- 2.2 Where the Sub Committee considers action is appropriate the statutory options available are:
 - 2.2.1 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;
 - 2.2.2 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);
 - 2.2.3 remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - 2.2.4 suspend the licence for a period not exceeding three months;
 - 2.2.5 revoke the licence.

3. PRINCIPLES FOR MAKING DECISIONS

Context

- 3.1 As quasi-judicial body the Sub Committee is required to consider this matter on its merits and must act reasonably and rationally. The Sub Committee can only take into account relevant factors and must ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of the relevant facts, or the likelihood or the unlikelihood of some future event, the occurrence of which would be relevant. The Sub Committee must give fair consideration to the contentions of all persons entitled to make representation to them.
- 3.2 The Sub Committee can only consider matters within the report.
- 3.3 Members should note that the Sub Committee is meeting on this occasion solely to perform the role of Licensing Authority. As such Members should disregard the Council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the Council's related policies and guidance.
- 3.4 Members will be aware of the Council's Code of Conduct which requires them to declare interests. The Code applies to members when considering licensing issues. In addition as a quasi-judicial body, Members are required to avoid both actual bias and the appearance of bias.

Human Rights & Equality Act Duties

- 3.5 In determining the case, the Sub Committee should be aware of and take into account any implications that may arise from the Human Rights Act 1998 and section 149 Equality Act 2010. The legislation makes it unlawful for a public authority to act in a manner which is incompatible with the European Convention of Human Rights.
- 3.6 When determining the case and considering imposition of conditions the Sub Committee must be satisfied that any decision which interferes with the rights of the Applicant or of others, only does so insofar as it is necessary to protect the rights of others and that no alternative decision would be appropriate.
- 3.7 The Sub Committee is specifically referred to the following Convention rights:
- 3.7.1 Article 6 (the right to a fair trial),
 - 3.7.2 Article 8 (the right to respect for private and family life)
 - 3.7.3 Article 1 of the First Protocol (the protection of property)

4. RELEVANT POLICY AND LEGISLATION CONSIDERATIONS

- 4.1 The procedure to be followed for the Review hearing is attached at **Appendix M**.

4.2 The amended guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 was published in April 2018, section 11 and the salient points that the Sub Committee must have regard to for Review Applications are detailed below:

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.*

11.10 *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 cooperation.*

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.*

Reviews arising in connection with crime

11.24 *A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.*

11.25 *Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.*

11.26 *Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention*

objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

11.27 *There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:*

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;*
- for the sale and distribution of illegal firearms;*
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;*
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;*
- for prostitution or the sale of unlawful pornography;*
- by organised groups of paedophiles to groom children;*
- as the base for the organisation of criminal activity, particularly by gangs;*
- for the organisation of racist activity or the promotion of racist attacks;*
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;*
- for unlawful gambling; and*
- for the sale or storage of smuggled tobacco and alcohol.*

4.3 The Sub Committee should also consider and make use of the 'Yellow and Red Card' system as directed and recommended by The Department of Culture, Media and Sport (DCMS) and as approved by the Licensing Committee.

5. LICENCE SUMMARY

5.1 BAR H holds a Premises Licence number **PL4384** granted by Slough Borough Council. The Premises Licence Holder is a company called 'Galaxy Corporation (UK) Limited' and the 2 named company directors are Mr Anil Jnagal and Mr Surinder Jnagal. The named Designated Premises Supervisor (DPS) is Mr Ajay Jnagal, who holds a Personal Licence (number LBHIL2586) issued by the London Borough of Hillingdon. A copy of the premises licence is attached at **Appendix J**.

5.2 The DPS is responsible for the day to day management of the premises.

5.3 The Premises Licence authorises the carrying out of the Relevant Licensable Activities as follows:

- A – Performance of play (indoors)*
- B – Exhibition of films (indoors)*
- C – Indoor sporting event*
- D – Boxing and wrestling entertainment (Indoors)*
- E – Performance of live music (indoors)*
- F – Playing of recorded music (Indoors)*
- G – Performance of dance (Indoors)*

- H – Entertainment of a similar description to that falling within E, F, or G (Indoors)*
- I – Late night refreshment (Indoors)*
- J – Supply of alcohol for consumption ON and OFF the premises*

5.4 The times the Licence authorises the Licensable Activities are:

- Sunday to Thursday - 10.00am to Midnight*
- Friday and Saturday - 10.00am to 2.00am*
- Non Standard Timings - 10.00am to 2.00am*
- All Bank Holidays*
- Christmas Eve - 10.00am to 2.00am*
- New Year's Eve - 10.00am to 2.00am*

Late night refreshment commences at 11.00pm with terminal hours as all other licensable activities.

6. REASON FOR REFERRAL: REVIEW APPLICATION

6.1 The Applicant asking for the Review is the Housing and Enforcement Officer – part of the Neighbourhood Enforcement Services, a Slough Borough Council Responsible Authority. Any responsible authority may apply for a review of a Premises Licence if it is concerned about licenced activities.

6.2 The Applicant highlights that;

- (a) Between January 2009 and September 2018, 7 cases of noise related nuisance have been reported relating to Bar H. Although warnings and advice have been given it has been difficult to pursue the complaints due to the complainants feeling and being intimidated by the visitors and occupants.*
- (b) Most recently the continued complaints have resulted in Neighbourhood Enforcement out of hours Officers attending the area of Bar H and witnessing the noise nuisance from the premises and associated anti-social behaviour.*
- (c) Persistent noise complaints resulted in a Noise Abatement Notice being served on the manager and Galaxy Corporation (UK) Limited.*
- (d) Further noise complaints have resulted in the Noise Abatement Notice being breached.*
- (e) Thames Valley Police have a total of 6 reports of crime and disorder relating to the premises between March 2018 and August 2018 (See Appendix G)*
- (f) It should be noted that the premises licence has a specific condition that a noise limiter must be installed. The manager has been unable to say if this is the case and the Neighbourhood Enforcement Team have no record of being notified of the installation of noise limiter or inspecting one.*

The applicant recommends that due to the persistent noise complaints, service of a Noise Abatement Notice, breach of the Noise Abatement Notice and out of hours officers witnessing breach of the Noise Abatement Notice the premises licence should be revoked.

The full Review Application and supporting evidence are contained at **Appendices A1 and A to I respectively.**

- 6.3 The Licensing Authority is satisfied that this application for Review meets the appropriate legislative requirements within the Licensing Act 2003 and is therefore a valid application to be considered by the Licensing Sub Committee
- 6.3 There are various grounds on which a Review Application may be triggered and these are as follows (but not limited to):
- 1 or more sales to minors of alcohol or any other age restricted product
 - Reports of anti-social behaviour linked to the premises
 - Evidence of proxy sales
 - Sales of alcohol outside trading hours
 - Other crime and disorder connected to the premises
 - Sales of counterfeit or substitute goods
 - Offences under the Licensing Act 2003 including breach of conditions
- 6.4 The grounds for the Review relate to the Licensing Objectives below;
1. The Prevention of Crime and Disorder,
 2. Public Safety

7 BACKGROUND INFORMATION

- 7.1 The Premises of Bar H have previously been subject of a review of the premises licence.
- 7.2 In 2010 Thames Valley Police made an application to review the premises licence on the grounds of;
- a) The prevention of crime and disorder
 - b) Public Safety
 - c) The prevention of public nuisance
 - d) The protection of children from harm

A copy of the original review application is attached at **Appendix K.**

The premises licence holder at the time was Galaxy Corporation (UK) Limited and Mr Anil Jnagal was a director of the company at the time.

- 7.3 On 14th June 2010 the Slough Licensing Committee having carefully considered all the information available decided to revoke the premises licence.
- 7.4 An appeal against the revocation was subsequently lodged and heard at Bracknell Magistrates Court on 18th January 2011. The appeal was allowed with amendments to the conditions on the premises licence. The Court Attendance Note detailing the outcome of the appeal and the amendments to the conditions on the premises licence is attached at **Appendix L.**

7.5 In September 2016 an application to vary the premises licence was made to remove conditions 87 to 91 from the premises licence, as detailed in the Court Attendance Note. As there were no objections to the variation, the application was granted.

8 REPRESENTATIONS RECEIVED

8.1 There has been no representations received to the Review Application from any Responsible Authorities.

8.2 There have been 14 email responses received from patrons of Bar H in support of the premises which are attached at **Appendix N**.

APPENDICES

- Appendix A1 - Review Application
- Appendix A - Officer Delegations
- Appendix B - Noise diaries
- Appendix C - Letter to Bar H dated 24th July 2018
- Appendix D - Inspection Sheet
- Appendix E - Letter to Ajay Jnagal Dated 17th August 2018
- Appendix F - Copy of pocket book notes
- Appendix G - Email from Thames Valley Police
- Appendix H - Witness Statement Dorota Lega
- Appendix I - Witness Statement Richard Palacio
- Appendix J - Premises Licence PL4384
- Appendix K - Review Application 2010
- Appendix L - Court Attendance Note 2011
- Appendix M - Procedure for Licensing Sub Committee
- Appendix N - Email responses from patrons of Bar H in support of the premises.
- Appendix O – Witness Statement Greg Edmond

Background papers

- The Licensing Act 2003
- Guidance issued under Section 182 of the Licensing Act 2003 - (Revised April 2018)
- Regulations (cited as the Licensing Act 2003 ([Various]) Orders 2005
- Slough Borough Council Statement of Licensing Policy - December 2014-2019
- DCMS Guidance – Red and Yellow Card System

APPENDIX A

CHIEF OFFICER'S DELEGATED DECISION – Neighbourhood Teams

Chief Officer Name: Joseph Carter

Chief Officer : Director of Regeneration

Officer Contact: Ian Blake

E-mail: [REDACTED]

Telephone no. [REDACTED]

Department: Resilience and Enforcement Neighbourhood Services,

Date: 1st May 2018 2018

OFFICERS AUTHORISATION

Summary

This report is requesting authorisation under the Council's Scheme of delegation for Officers in the Resilience and Enforcement Team to exercise statutory powers to carry out their day to day duties such as :

- Inspecting properties,
- Serving Statutory Notices
- Issuing Licences, and Orders
- Official Communication
- Preparing witness statements and attending court as required

1. DECISION

- 1.1 To authorise the officers listed in paragraph 4 to take the necessary and appropriate action in accordance with legislation detailed in Appendix A in order to carry out their daily duties.

2. AUTHORISATION

- 2.1 I authorise the Officers listed in Paragraph 4 to exercise functions under the legislation listed in Appendix A.
- 2.2 Part 3.6 of the Scheme of Delegation to Officers allows the Chief Officer to authorise officers to carry out those functions, listed in sub section 2e of the scheme, at an operational level on behalf of the Chief Officer, in accordance with departmental procedures. These procedures may, without limitation, authorise the carrying out of activity under statutory powers, including entry and inspection of premises and the issuing of notices, orders, licences, tenancies and other official communications. The authentication of any such documentation, signing Statements of Truth, providing witness statements and statutory declarations in respect of matters within their own knowledge and giving evidence in person on behalf of the Authority.

3. BACKGROUND

- 3.1 The officers are required to be given delegated authority by the Chief Officer under the scheme of delegation as described above in 2.1 and 2.2.
- 3.2 Officers' existing authorisation is inadequate as it lacks sufficient detail and does not include all the existing and new Legislations / Regulations. The list in **Appendix 1** is a comprehensive and detailed list of Legislations which officers of the Neighbourhood Teams, in particular the North, South & East Neighbourhood Teams require to discharge the Council's statutory functions.

4. OFFICERS TO BE AUTHORISED

Neighbourhood Services Lead - John Griffiths

Neighbourhood Manager Resilience and Enforcement - Ian Blake

Housing Regulation Manager- Rhian Richards

Business Development Manager - Amir Salarkia

Team Leader Resilience and Enforcement – Linda Corcoran

ASB Co-ordinator – Michelle Isabelle

Housing Regulation Officers - David Gilbert, Kinta Mendy, Rashida Raizak, Innocent Magaya, Michael Needs

Housing Enforcement Officers - Dave Stride, Dora Lega, Robert Graham, Kurt Henney, Gregory Edmund, Stephen Crundwell, Stephen Isabelle

5. EQUALITIES IMPACT

- 5.1 The Council in the exercise of its functions must have due regard to its equalities duties and in particular with respect to those in section 149 of the Equality Act 2010. These duties are to eliminate discrimination, harassment, victimisation and eliminate any other conduct that is prohibited by or under the Equality Act 2010, to advance equality of opportunity between persons who share a protected characteristic and persons who do not share it and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sexual orientation. A relevance test has been carried out and having considered the nature of the decisions contained within the recommendations it is considered that there will be no adverse impacts in respect of anyone with one or more protected characteristics. As such, the Council considers that there is no need for an Equalities Impact Assessment to be carried out and that in making the decisions set out in the recommendations the Council will be acting in compliance with its duties.

6. SIGNATURES AND AGREEMENT

I authorise this decision being taken.

Joseph Carter Director of Regeneration

.....

Date:

APPENDIX 1

Sections	Legislations	Postholders
Anti-Social Behaviour Act 2003 – Entire Act		
Entire Act	Allows action re the broad sphere of ASB and related activities.	Service Lead and all officers of the Resilience and Enforcement Team as listed in paragraph 4 above.
Anti-Social Behaviour and Crime and Policing Act 2014 – Entire Act		
Entire Act	Power to issue CPN Warnings, CPN Notices, Enforce PSPOs. Apply for Injunctions, Closure Orders etc.	As Above
Animal Welfare Act 2006 – Entire Act		
Entire Act	Powers to tackle animal welfare issues that often lead to wider issues of nuisance , ASB and crime	As Above
Building Act 1984		
Section 59-63	Relating to the service of notices to repair defective drainage prejudicial to health or a nuisance.	As above
Section 76	Relating to the service of notices to repair defective premises prejudicial to health or a nuisance.	As above
Section 84-85	Works to maintain yards and passages	As above
Sec 95-96	Powers of entry to premises	As above
Sec 97-101	Power of execution of works in defaults	As above
Sec113 -114	Power to prosecute	As above
Business Names Act 1985		
Section 4	Notice for information about a business with less than 20 partners	As above
Cleaner Neighbourhood and Environment Act 2005– Entire Act		

Sections	Legislations	Postholders
Entire Act	Linked to amendments in other acts and to the provision of serving FPNs and other notices	As above
Clean Air Act 1993 – Entire Act		
Entire Act	Powers relating to dark smoke emissions and related smoke nuisance	As above
Criminal Justice and Public Order Act 1994		
Part V Public Order: Collective Trespass or Nuisance on Land	Powers to remove unauthorised campers	As above
Section 77	Power of local authority to direct unauthorised campers to leave land.	As above
Section 78	Orders for removal of persons and their vehicles unlawfully on land.	As above
Section 79	Provisions as to directions under s. 77 and orders under s. 78.	As above
Control of Pollution Act 1974		
Part 3	Noise	As above
Part 5	Supplementary Provision to require information	As above
Control of Pollution (Amendment)Act 1989 – Entire Act		
Entire Act	Provision of regulations for transport of waste by licensed carriers	As above
Dangerous Dogs Act 1991 – Entire Act		
Entire Act	Power to deal with possession of banned breeds (sec 1 & 2), keeping dogs under proper control in a public place (sec 3)and power to seize and enter premises(section 5)	As above
Dogs Act 1871 – Entire Act		
Entire Act	Power to have owners of dogs out of control on any land issued with a court order to control their dogs	As above
Environmental Protection Act 1990 - Entire Act		
Entire Act	Part 2 Waste on land	As above
	Part 3 Relating to the service of notices to abate	As above

Sections	Legislations	Postholders
	statutory nuisances e.g. Gas access	
	Part 4 Litter	As above
	Part 8 Stray Dogs	As above
Guard Dogs Act 1975		
Section 1	Control of guard dogs used to tackle noise and illegal use of guard dogs on premises	As above
Health Act 2006		
Part 1	Smoking on premises	As above
Highways Act 1980		
Section 132	Marks on the highway	As above
Section 137	Wilful obstruction	As above
Section 137ZA	Power to order removal of an obstruction	As above
Section 139	Control of builders skips	As above
Section 140	Removal of builders skips	As above
Section 143	Power to remove structures	As above
Section 147A	Road side sales	As above
Section 148	Depositing things on the highway	As above
Section 149	Removal of a nuisance so deposited	As above
Section 154	Removal overhanging foliage	As above
Section 155	Animals straying on a highway	As above
Housing Act 1985		
PART II	PROVISION OF HOUSING ACCOMMODATION	
Section 11A	Provision of welfare services.	As above
Section 17	Relating to power to make Compulsory Purchase Order	As above
Sections 20 - 26	Housing Management	As above
Sections 27 - 57	Management Agreements, Disposal of land for housing purposes and Various Provisions	As above
PART IV	SECURE TENANCIES AND RIGHTS OF SECURE TENANTS	
Sections 70 - 117	Security of tenure; successions; assignments; repairs and improvements; variations, communication and consultation; flexible tenancies; various others.	As Above
PART VII		

Sections	Legislations	Postholders
Section 209 - 238	Brings up to date Housing Act 1985 provisions.	As Above
Part IX	SLUM CLEARANCE	
Section 265	Relating to the power to make a demolition order	As above
Section 289	Relating to the power to declare a clearance area	As above
Section 319 (as amended by the Local Government and Housing Act 1989)	Relating to powers of entry for the purposes of survey and examination	As above
PART X	OVER CROWDING	
Section 337	Relating to powers of entry for the purposes of determining overcrowding	As above
Section 338	Relating to the service of notices to abate overcrowding	As above
Housing Act 1988		
Part I	Rented Accommodation	
Sections 1 - 45	Assured Tenancies; Assured Shorthold Tenancies; Protection from Eviction; Phasing out of Rent Acts; General provisions.	As Above
Schedule 1	Tenancies which cannot be Assured Tenancies	As Above
Schedule 2	Grounds for Possession of Dwelling-houses let on Assured Tenancies	As Above
Schedule 2A	Assured Tenancies: Non-Shortholds	As Above
Schedule 4	Statutory Tenants: Succession	As Above
Housing Act 1996		
Part III	Landlord and Tenant	
Section 96 - 102	Assured shorthold tenancies; Grounds for possession.	As Above
Part V	Conduct of Tenant	
Sections 124 - 143	Introductory tenancies; proceedings for possessions; successions; Assignment; Repairs; Information and consultation; General provisions; Repossessions; Injunctions against ASB;	As Above
Part VIII		
Sections 218 - 233	Miscellaneous and general provisions	As Above

Sections	Legislations	Postholders
Schedule 14	Introductory tenancies: consequential amendments	As Above
Schedule 18	Miscellaneous provisions	As Above
Housing Act 2004		
Sections 11, 12, 14, 16, 17 & 18	Relating to the service of improvement notices and follow up action	As above
Sections 20, 21, 23, 25, 26 & 27	Relating to the service of prohibition orders and follow up action	As above
Sections 28 & 29	Relating to the service of hazard awareness notices	As above
Sections 30 & 31	Relating to the enforcement of improvement notices	As above
Sections 32	Relating to the enforcement of prohibition orders	As above
Sections 40, 41, 42 & 43	Relating to emergency remedial action and emergency prohibition orders	As above
Sections 49 & 50	Relating to powers to charge for certain enforcement action and recovery of charges	As above
Section 62	Relating to temporary exemption from licensing	As above
Sections 72, 73 & 74	Relating to the granting and refusal of HMO licences and the revocation and variation of licences.	As above
Sections 102, 103, 106, & 110	Relating to the making and operation of interim management orders	As above
Sections 111 & 112	Relating to the variation and revocation of interim management orders	As above
Sections 113, 115, 119 & 120	Relating to the making and operation of final management orders	As above
Sections 121 & 122	Relating to the variation and revocation of final management orders, procedural requirements and appeals relating to interim and final management orders	As above
Sections 127, 129 & 130	Relating to the management and termination of final management orders	As above
Section 131	Relating to management orders: power of entry to carry out work	As above
Section 132 - 138	Relating to interim and Final EDMO	As above

Sections	Legislations	Postholders
Section 139 & 144	Relating to overcrowding notices in certain houses in multiple occupation not required to be licensed	As above
Section 235	Relating to the power to require documents to be produced	As above
Section 239	Relating to the powers of entry for the purposes of survey and examination	As above
Section 240	Relating to warrant to authorise entry	As above
Section 241	Relating to proceedings for obstruction	As above
Section 242	Relating to notice requirements for the protection of owners	As above
Section 245	Relating to powers to dispense with notices	As above
Section 255 & 256	Relating to HMO declarations & revocation of HMO declarations	As above
Section 179	Extension of Introductory tenancies.	As above
Section 191	Secure tenancies: withholding of consent to mutual exchange	As above
2008 Housing & Regeneration Act		
Entire Act		As above
Localism Act 2011		
Part 7	Housing	As above
Chapter 2	Social housing: tenure reform	As above
Sections 150 - 153	Tenancy Strategies	As above
Sections 154 - 155	Flexible Tenancies	As above
Sections 156 - 166	Other provisions relating to tenancies of social housing	As above
Chapter 4	Housing Mobility	As above
Section 176	Standards facilitating exchange of tenancies	As above
Chapter 6	Other housing matters	As above
Sections 180 - 182	Housing Ombudsman and complaints	As above
Schedule 14	Grounds on which landlord may refuse to surrender & grant tenancies under section 158.	As above

Sections	Legislations	Postholders
Housing & Planning Act 2016		
Chapter 6		
Section 118	Secure tenancies etc: phasing out of tenancies for life	As above
Section 119	Termination of fixed-term secure tenancies without need to forfeit	As above
Section 120	Succession to secure tenancies and related tenancies	As above
Section 121	Secure and assured tenancies: transfer of tenancy	As above
Schedule 7	Secure tenancies etc: phasing out of tenancies for life	As above
Schedule 8	Succession to secure tenancies and related tenancies	As above
Housing Grants Construction and Regeneration Act 1996		
Part 1	Relating to grants for housing.	As above
Local Government (Miscellaneous Provisions) Act 1976		
Section 16	Relating to the service of notices to obtain particulars of persons interested in land.	As above
Section 33	Relating to the service of notices to restore, water, gas or electricity to dwellings	As above
Local Government (Miscellaneous Provisions) Act 1982		
Section 29	To secure premises against unauthorised entry	As above
The Noise Act 1996 – Entire Act		
Entire Act	Power to enter premises and seize equipment	As above
Prevention of Damage by Pests Act 1949		
Entire Act		
Section 4	Relating to the service of notices to take steps to keep land free from rats and mice	As above
Section 6	Block treatments of building containing flats	As above
Public Health Act 1936		
Entire Act incl:		
Sections 45	Relating to the service of notices to repair defective water closets.	As above
Section 78	Scavenging of common courts and passages	As above
Sections 79 & 287	Powers of Entry.	As above
Section	Relating to the cleansing of filthy and verminous	As above

Sections	Legislations	Postholders
83&84	premises. As amended by the Public Health Act 1961, Section 35	
Public Health Act 1961		
Entire Act		
Section 17	as amended by the Local Government (Miscellaneous Provisions) Act 1982 Relating to the service of notices to repair defective drains	As above
Public Health Control Diseases Act 1984		
Section 46	Part 3 Public burial of deceased	As above
Refuse Disposal(amenity) Act 1978 - Entire Act		
Entire Act	Removal, disposal and cost recovery of abandoned waste and vehicles on land	As above
Town and Country Act 1990		
Section 215	Sites detrimental to the amenity	As above
Section 224	Enforcement of control as to advertisements.	As above
Section 330	Notice to provide information re interest in a property	As above
Water Industry Act 1991		
Chapter 3 Section 71 – 76	Relates to discharge of waste into water drainage system	As above

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APPENDIX A1



Taking pride in our communities and town

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 **David Stride**

(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 Bar H 254, High Street, Langley, Berkshire	
Post town Slough	Post code (if known) SL3 8HA

Name of premises licence holder or club holding club premises certificate (if known) Mr Ajay JNAGAL

Number of premises licence or club premises certificate (if known) LBHIL2586
--

Part 2 - Applicant details

I am Mr David Stride

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

Mr David Stride, Housing & Enforcement Officer, Place & Development, Neighbourhood Services Department, Slough Borough Council, St.Martin's Place, Slough SL1 3UF.

I am authorised by Mr Mike England the Interim Director of Place & Development, Neighbourhood Services, with delegated authority by the Chief Officer under the scheme of delegation as detailed below:

Part 3.6 of the Scheme of Delegation to Officers allows the Chief Officer to authorise officers to carry out those functions, listed in sub section 2e of the scheme, at an operational level on behalf of the Chief Officer, in accordance with departmental procedures. These procedures may, without limitation, authorise the carrying out of activity under statutory powers, including entry and inspection of premises and the issuing of notices, orders, licences, tenancies and other official communications. The authentication of any such documentation, signing Statements of Truth, providing witness statements and statutory declarations in respect of matters within their own knowledge and giving evidence in person on behalf of the Authority.

A copy of the delegated decision is attached to this application, Appendix A

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 | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

The Prevention of crime and disorder
and
The prevention of public nuisance

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

Between January 2009 and the 1st September 2018 Slough Borough Council's Neighbourhood Services Department has opened 7 cases of noise related nuisance that has been centred around customers and occupants of Bar H, 254, High Street, Langley, Slough, SL3 8HA. In most cases warnings and advice was provided to the manager and staff however it has been difficult to pursue these complaints due to complainants feeling and being intimidated by the visitors and occupants.

Mrs Kaushalya Jnagal and Mr Anil Jnagal are the Directors of Galaxy Corporation Ltd, [REDACTED] and are the licence premises holders for Bar H.

Mr Ajay Jnagal of [REDACTED] is the manager and Designated Premises Supervisor for Bar H.

A complaint was received from a resident in Elmhurst Road, to Slough Borough Council on the 27th March 2018 regarding noise and unacceptable behaviour from the customers and visitors to Bar H, 254, High Street, Langley. These complaints related to noise from loud amplified music played at high volume, noise from people shouting, swearing and talking loudly to each other from inside and outside of the premises, especially in the smoking area, between 20:30hrs to 06:00hrs.

Noise diaries were sent to the occupants in Elmhurst Road, Langley all within the vicinity of Bar H. Of the 5 diaries sent, 3 were completed from April 2018 to the end of September 2018, however 1 resident wishes to remain anonymous due to possible intimidation and reprisals from individuals connected with Bar H. **Copies of the diaries are attached to this application, Appendix B.**

On the 4th June 2018, I visited Bar H and spoke to a female employee. She confirmed that the manager was not present and I left a business card with her and requested that he contacted me to discuss the matter further.

The manager did not contact me and on the 20th July 2018, I visited the premises with my colleague Dorota Lega and spoke to the manager and DPS, Mr Ajay Jnagal. The issues with regards to loud music and customers shouting and swearing were discussed which he was aware of and has been trying to keep the noise down. He further stated that he was going to install a new door leading to the smoking area and would keep it shut, not allowing anyone into the smoking area after 10pm. The security officers would ensure that this happens and the customers could enter the High Street in front of the premises to smoke. He was unaware if he had a noise limiter installed, which is part of his licencing agreement and would make enquiries into obtaining one.

Due to the unacceptable levels of noise continuing to emanate from this premises, I sent advice letters on the 24th July 2018, to the manager Mr Ajay Jnagal and the Company Directors informing them that Slough Borough Council had received further complaints relating to Bar H and that I was carrying out an investigation. **Copies of the letters are attached to this application, Appendix C.**

On the 3rd August 2018, I visited Bar H with Melanie Sagar a senior licencing officer for Slough Borough Council to conduct a licencing review and to discuss the noise nuisance.

A copy of the licence report is attached to this application, Appendix D.

Further contact with the complainants on the 14th August 2018, confirmed that the level of noise together with people shouting from Bar H into the early hours was continuing and recorded in the noise diaries.

On the 17th August 2018, I visited Bar H together with my colleague Stephen Isabelle and served a Noise Abatement Notice on the manager and DPS, Mr Ajay Jnagal. The conditions of the notice and appeals procedure was explained to him which he accepted from me.

Further Noise Abatement Notices were posted to the directors of Galaxy Corporation Ltd, Mr Anil Jnagal and Mrs Kaushalya Jnagal.

At 15:58hrs I visited number [REDACTED] with my colleague Stephen Crundwell and hand delivered Abatement notices to Mr Surinder Jnagal and Mrs Kaushalya Jnagal who are the owners of the property, Bar H, 254, High Street, Langley. **Copies of the letters and notices are attached to this application, Appendix E.**

Prior to leaving [REDACTED], I saw a Silver coloured Audi park up behind my vehicle and saw that an Asian male vacated and walked towards number [REDACTED]. I turned my motor car around and then saw the same male who had disappeared from my view walking back to his car holding a white envelope and was reading what looked like a document. I believed that this was Mr Ajay Jnagal's brother Anil who had returned to the property to intercept the notices. On the notice served to Mr Ajay Jnagal earlier at Bar H the notice contained addresses where copies were being sent. The Registration number of the Audi was [REDACTED]. The male then drove away heading back towards the direction of Langley. This incident was recorded in my pocket note book, number 110, pages 30 to 31. **A copy of my pocket note book is attached to this application, Appendix F.**

I returned to my office and located the contact details for Mr Surinder Jnagal and contacted him to explain that I was investigating a noise complaint regarding his son's business and that I had hand delivered a noise Abatement Notice addressed to him and his wife. He was unaware of the complaint and investigation and when asked he confirmed that his son has a Silver coloured Audi. I informed Mr Jnagal that I would send a noise abatement notice to him and his wife at [REDACTED].

On the 24th August 2018, I received an email from Thames Valley Police containing details of reports to them relating to incidents at Bar H.

URN 1412 31/03/18 female kicked caller and bitten security guard (immediate)
URN 1602 31/03/18 female drinking in bar, does not have insurance for car and will be leaving to drive
URN 1734 03/06/18 fight (immediate)
URN 1115 07/07/18 male been punched, trying to take can of beer into bar (immediate)
URN 1124 07/07/18 male causing issues outside of pub (immediate)
URN 105 17/08/18 persons on roof screaming/shouting, fight imminent (immediate)

A copy of the email is attached to this application, Appendix G

At 03:20hrs on the 21st August 2018, the councils out of hours duty officer, Stephen Isabelle, was contacted by a resident in Elmhurst Road confirming that she could hear music and people talking from Bar H and which had woken her up.

At 03:25hrs the resident contacted Stephen Isabelle to confirm that the music and

talking had stopped therefore he did not respond and attend the address. No further calls were received.

At 22:59hrs on Saturday the 25th August 2018, the councils out of hours duty officer Miss Dorota Lega was contacted by the same resident in Elmhurst Road, Langley, complaining of noise nuisance coming from Bar H.

At 23:51hrs Dorota Lega arrived at the address and entered the property. She went up to the occupants bedroom which is at the rear of her house and could hear people talking in the background together with loud Bass music. This was witnessed with the bedroom windows both open and closed.

The music and loud Bass continued and was audible over her conversation with the occupants. A DJ's male voice was heard in between songs and she could clearly hear different types of music which included Asian and Rap music.

At 00:30hrs Dorota Lega left the property and walked to the front of Bar H in Langley High Street. There were about 20 people outside and in front of Bar H, all talking loudly, smoking and drinking from glass bottles.

At 00:36hrs Dorota Lega left the High Street with the music continuing and people talking. **A copy of the statement is attached to the application, Appendix H.**

At 21:30hrs on the 31st August 2018, the councils out of hours duty officer, Richard Palacio, a Qualified Environmental Health Officer, was contacted by the resident in Elmhurst Road confirming that she could hear noise from Bar H which was causing a disturbance to her.

Richard Palacio arrived at the address at 23:08hrs and went to the first floor rear bedroom and where the window was open. He could hear male voices from outside which were raised, shouting and screaming. He specifically heard the words "Why don't you come here".

At 23:16hrs he heard the words "Right I'm going".

During this period he could hear bursts of predominantly bass music.

Richard Palacio left the property at 23:32hrs and walked to the front of Bar H, in Langley High Street. There he saw approximately 20 customers of Bar H in the external front area and on the pavement. They were all talking very loudly and very intimidating.

The sound was identical to that which he had heard from the residents house. Whenever the entrance door at the front of the premises opened it caused a blast of very loud music to come out onto the street. There appeared to be very few people inside and it was his opinion that it was uncomfortably loud in the premises which is why the large number of people were outside.

Richard Palacio further commented that the noise level inside the bar was likely to have caused a temporary threshold shift in their hearing which resulted in the raised voices as they spoke to each other.

As Richard Palacio walked past the bar he saw a man leave the front area of Bar H, run across the main road and appear to defecate in the gap in the hedge. He then returned to the bar.

Further observations were made between 23:42hrs and 00:11hrs from his car which was parked approximately 30 meters from Bar H. The window was partly open and from this position he could clearly hear the voices and blasts of music.

At 23:48hrs he estimated that there were approximately 15 people outside of Bar H

and shortly afterwards more people came out and partly blocked the pavement. The noise of voices and shouting was likely to be disturbing the residents of the flats above the adjacent shops.

The slow door closing mechanism was causing approximately 13 second bursts of music every time people passed through the door

At 00:11hrs Richard Palacio left the High Street and saw approximately 10 people outside and the noise of raised voices and music was continuing.

On the 1st September 2018 Richard Palacio was contacted by the resident at 21:40hrs. The very loud music coming from Bar H was causing a disturbance to her. Richard Palacio arrived at 23:30hrs and briefly parked up in front of Bar H. He saw approximately 6 people in the external front seating area and on the pavement. They were shouting and whistling and there was very loud rap music coming from the premises as the front door was fixed open.

At 23:48hrs He entered the residents home and went to the first floor bedroom. A small top vent window was open and he could hear clearly voices of the people coming from the front of Bar H. The music was at a low level however at 23:50hrs it became significantly louder. In his opinion this would have been sufficient to have disturbed him and prevent him from sleeping, particularly if it was a frequent occurrence.

At 00:15hrs Richard Palacio walked to the front of Bar H and saw approximately 10 people outside and on the pavement. They were all talking loudly and the front door was left wide open with loud music coming outside. He walked to the dental practice on the High Street approximately 150 meters away and could still hear the music and voices which were still clearly audible. This would be causing a nuisance to 1A Elmhurst Road and the residential flats next to Bar H.

As he walked past Bar H, with the door still wide open, he heard about 8 times the DJ shouting over the sound system, what sounded like, "█████ Nigel Casey"

At 00:35hrs a man shouted "My ██████ knee is gone".

At 00:50hrs the DJ stopped and the door was wide open with people leaving.

At 01:18hrs 1 person was still standing outside talking loudly on his phone however the metal shutter was down and the premises closed.

It is Richard Palacio's opinion, following these visits that the noise that he had witnessed from Bar H was breaching the requirements of the abatement notice dated the 17th August 2018. **A copy of this statement is attached to the application, Appendix I.**

Similar incidents relating to Bar H continued in the month of September 2018 and relate to loud music and loud talking coming from the smoking area.

A resident from Elmhurst Road together with her friend walked past the front entrance to Bar H on the 21st September 2018 at 23:00hrs and saw many people standing outside making a noise. No one moved away from the pavement and they both felt intimidated and uneasy whilst passing. The manager was present however just stood and watched as they passed and said nothing to his customers. This information is recorded in the noise diaries from the complainant for the month of September 2018.

On this basis and the evidence provided, I on behalf of Slough Borough Council will be prosecuting the Licence Holders for Bar H, namely Galaxy Corporation Limited,

[REDACTED], for breaching the Abatement Notice served on the 17th August 2018.

It is evident from the information and evidence contained within this review application that there has been ongoing problems at Bar H since the 31st March 2018 (see Appendix G) as well the continual noise complaints that have resulted in a noise abatement notice being served together with the subsequent breaches of the noise abatement notice as witnessed by the Council's out of hours duty officers.

In light of this I would recommend to the Licensing Sub Committee that the premises licence should be revoked.

tick ✓ yes

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

Please

If yes please state the date of that application

Day Month Year

↓	↓	↓	↓	↓	↓	↓	↓
---	---	---	---	---	---	---	---

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 ✓
- 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

15th OCTOBER 2018

Capacity

HOUSING & ENFORCEMENT OFFICER

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

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Public Protection Services – Neighbourhood Enforcement Team

NOISE DIARY SHEETS

Your Name and Address:

Day Time Tel: No: [REDACTED]

Address complained of: Bar H, 254 High Street, Langley, S13 8HA.

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source eg radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)
6/4/18	10PM	Midnight	very loud music being played	Bedrooms + Dining Room	It kept me awake
7/4/18	1.30 AM	2.00 AM	A group of people arguing in the Smoking area	"	It woke me up
7/4/18	3.00 AM	3.30 AM	"	"	It woke me up again.
10/4/18	8.00 PM	11.30 PM	very loud music being played	"	We closed all our windows, but I still could hear it
12/4/18	9.45 M	10.30 PM	very loud music being played, and group of people shouting from the smoking area.	"	It was louder than the level of my own TV. We had all our windows

	Starts	Finishes	Description of Noise (where does it originate, what is source eg radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)
13/4/18	9:30 AM	1 AM	very loud music being played no stop by the DJ.	"	It kept me awake. I could hear the noise above the level of my own TV
13/4/18	1:30 AM	2:30 AM	A group of people shouting from their smoking area	"	It woke me up.
14/4/18	8 PM	1 AM	very loud music being played, groups of people shouting/arguing outside Bar H.	"	It kept me awake. we closed all our windows
15/4/18	5 PM	10 PM	very loud music being played, and groups of people shouting	"	we closed all our windows, we still could not hear our TV.
18/4/18	5 PM	10 PM	"	"	"
20/4/18	9 PM	2:30 AM	DJ playing very loud music all night. People shouting/arguing all night outside Bar H.	"	We was up all night.

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source eg radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)
24/4/18	9 PM	10.30 PM	groups of people shouting outside bar 17. music being played	"	we could not hear our TV and we closed all our windows
27/4/18	9 PM	11.30 PM	very loud music being played	"	"

Declaration - I confirm that the content of this diary is to my knowledge, true and correct. The noise incidents record above are causing serious nuisance and I am prepared to give evidence in court to support my complaint.

Signature: _____ Date: 28/4/18

Public Protection Services – Neighbourhood Enforcement Team
NOISE DIARY SHEETS

Your Name and Address: [REDACTED]

Day Time Tel: No:

Address complained of: Bar 14, 254 High Street, Langley, S13 8HA.

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source eg radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)
22/6	22:00	01:30	Very loud music being played by DJ. Groups of people talking/shouting outside.	Bedrooms/ Dining/Living Room	It kept me awake
23/6	22:00	01:30	Loud music being played. Groups of people shouting/swearing	" "	It woke me up, and kept me awake
24/6	03:00	03:30	People shouting/talking	Bedrooms	It woke me up.
30/6	21:00	01:00	Loud music being played by DJ - Talking/shouting by customers	Bedrooms/ Dining/Living Room	By closing the windows (even though it was a warm evening) made no difference

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source e.g. radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)

Declaration - I confirm that the content of this diary is to my knowledge, true and correct. The noise incidents record above are causing serious nuisance and I am prepared to give evidence in court to support my complaint.

Signature:  Date: 30/6/18

Public Protection Services – Neighbourhood Enforcement Team

NOISE DIARY SHEETS

Your Name and Address: _____

Day Time Tel: No: _____

Address complained of: _____

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source eg radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)
3/7/18	21:30	22:10	Loud music to celebrate the football results	Bedrooms	Closed windows, but still loud!
27 th July	21:00	24:00	Loud music being played by DJ 02:00 - 05:00 - Group of ppl talking loud in smoking area.	All bedrooms	Closed windows but still loud
Sat 28 th July	22:00	23:30	Loud music being played by DJ.	Bedrooms	Noise through closed windows
30 th July	03:00	04:30	Group of men, shouting and swearing	Bedrooms	Woke us up. closed all windows made no diff.

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source e.g. radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)

Declaration - I confirm that the content of this diary is to my knowledge, true and correct. The noise incidents recorded above are causing serious nuisance and I am prepared to give evidence in court to support my complaint.

Signature:  _____
 Date: 30th July 2018

Public Protection Services – Neighbourhood Enforcement Team
NOISE DIARY SHEETS

Your Name and Address: [REDACTED]

Day Time Tel: No: _____

Address complained of: Bar H, 254 High Street, Slough, SL3 8HA

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source eg radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)
3/8/18	22:00	02:00 (4/5/18)	Live music being played by DJ, gaps of people shouting/swearing out side Bar H in smoking area.	All	closed all windows, but none of the family could sleep.
4/8/18	05:00	06:00	Group of lads talking/shouting/smoking/swearing on the roof at Bar H.	All	woken up. loss of sleep.
5/8/18	22:00	02:00	Live music being played from Bar H. Customers shouting/swearing/smoking in smoking area all night.	All	closed all windows, had to turn up TV. loss of sleep.
8/8/18	21:30	22:50	* LOGGED WITH ANTI SOCIAL TEAM & shouting/swearing coming from Bar H	All	I could not sleep.

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source eg radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)

Declaration - I confirm that the content of this diary is to my knowledge, true and correct. The noise incidents record above are caused by noise from the property at [redacted] and I am prepared to give evidence in court to support my complaint.

Signature: _____ Date: 31/8/18

Place and Development – Resilience & Enforcement Team

NOISE DIARY SHEETS



Your Name and Address:

Day Time Tel: No: _

Address complained of: BAR #, 254 HIGH STREET, LANGLEY, SURREY, SL3 8HA

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source eg radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)
1/9/18	22:00:10	00:40	NOISE COMING FROM BAR #, MUSIC BEING PLAYED	BEDROOMS	WOKEN UP MULTIPLE TIMES
5/9/18	23:58 PM	00:30	LOUD TALKING COMING FROM BAR # SMOKING AREA	BEDROOMS	HAD TO SHUT WINDOWS BUT CAN STILL HEAR NOISE
21/09/18	23:00	23:10	walking home from restaurant with friend. walked past bar, many people standing outside and making noise. no one moved out the way as blocking pavement. Managers stood with team and didn't encourage customers to move out of the way. intimidating for anyone walking past.	N/A	Intimidated and cautious. uneasy.

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source eg radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)
Sep 22nd	1:00 am	1:30 am	loud music being played	Bedroom	woken up
28 th / 09 / 18	00:39 pm	1:20 am	loud music and talking from bar H.	Bedrooms	woken up again!

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source e.g. radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)

Declaration - I confirm that the content of this diary is to my knowledge, true and correct. The noise incidents record above are causing serious nuisance and I am prepared to give evidence in court to support my complaint.

Signature:  Date: 30/9/18

Public Protection Services – Neighbourhood Enforcement Team
NOISE DIARY SHEETS

Your Name and Address: [REDACTED]

Day Time Tel: No: [REDACTED]

Address complained of: BAR H 254 HIGH STREET LANGLEY SL3 5HA

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source e.g. radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)
15 JUNE 2018	NEAR 23:00	EARLY HOURS	CONVERSATION FROM SMOKING AREA TO SOUTHERN SIDE OF BAR-H.	BEDROOM	LOSS OF SLEEP CANT HAVE OPEN WINDOW
16 JUNE 2018	NEAR 23:00	EARLY HOURS	DITTO	BEDROOM	LOSS OF SLEEP CANT HAVE OPEN WINDOW
22 JUNE 2018	FROM APPROX 21:20 FROM 23:00 TO 24 JUNE	NEAR 01:00 NEAR 03:40	MUSIC (THUMP OF BASS) CONVERSATION FROM SIDE SMOKING AREA	BEDROOM	LOSS OF SLEEP CANT HAVE OPEN WINDOW
23 JUNE 2018 - 24 JUNE	FROM 21:20	NEAR 01:00 A FURTHER TO NEAR 03:40	MUSIC (THUMP OF BASS) CONVERSATION FROM SIDE SMOKING AREA	BEDROOM	LOSS OF SLEEP CANT HAVE OPEN WINDOW

DECLARATION: CONTENT IS TRUE AND CORRECT. SERIOUS NUISANCE. PREPARED TO GIVE EVIDENCE IN COURT TO SUPPORT MY COMPLAINT

Date	Time Noise Starts	Time Noise Finishes	Description of Noise (where does it originate, what is source eg radio, car repairs etc)	Room Affected (e.g. bedroom)	How Does the Noise Affect You? (e.g. loss of sleep)
3/8/2018	8.15pm	1.30am	Loud music (inside club) could hear music above level of T.V. Shouting outside front entrance to club until 1am	Living room bedroom	Loss of Sleep Have to shut windows
4/8/2018	10pm	2am	Loud music (inside club) Shouting outside club front Entrance. music ended approx 1am Shouting stopped 2am	Living room Bed room	Loss of Sleep Have to shut windows
8/8/2018	10pm approx	1am	Loud music (inside club) above level of T.V. music stopped approx 12.15am Shouting outside front Entrance to club until 1am	Living room Bedroom	Loss of Sleep Have to shut windows
10/8/2018	8pm	1am	Loud music (inside club) could hear music above level of T.V.	Living room Bed room	Loss of Sleep
11/8/2018	8.25pm	1am	Loud music (inside club) Shouting outside front Entrance of club, music stopped approx 12.15am Shouting stopped 1am.	Living room Bedroom	Loss of Sleep

Date: 24th July 2018

Department: Place & Development
Resilience & Enforcement Team
Contact Name: David Stride
Contact No: 01753 875570 [REDACTED]
Our Ref: DST/221464

Bar H
254, High Street
Langley
SL3 8HA
FTAO the Manager

Dear Sir / Madam,

Environmental Protection Act 1990
Noise Nuisance from Bar H, 254, High Street, Langley SL3 8HA

I write to inform you that the Council has received a complaint from local residents reporting a noise nuisance from your business, caused by loud amplified music and noise generated from your clients congregating in the smoking area and outside your premises, within the local vicinity of the High Street.

As a result of this complaint the Council will be carrying out an investigation to determine whether the noise is causing a statutory nuisance. This investigation will include the monitoring of noise levels from your business. This may be done through the use of noise monitoring equipment being set up in the complainant's property and/or by officers visiting the complainant's property during times when the a noise disturbance is likely to occur.

Whilst we are carrying out these investigations can you please provide me in writing, what measures you have in place to prevent a noise nuisance and what measures you will be implementing to prevent further noise complaints?

This follows on from a meeting held in Bar H on Friday the 20th July 2018 when the noise complaint was discussed with [REDACTED]

If an Abatement notice is served and you, without reasonable excuse contravene or fail to comply with any requirement of the notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990. Any noise of this nature witnessed after the service of this legal notice is an offence for which noise equipment can be seized and the person responsible will be prosecuted and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale currently at £5,000, together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

Should you require further information or clarification of any point, please do not hesitate to contact me.

Yours faithfully,

David Stride
Housing & Enforcement Officer
Resilience & Enforcement Team
Slough Borough Council

Copy to [REDACTED]
[REDACTED] Galaxy Corporation Ltd, [REDACTED]
Company Director Galaxy Corporation (UK) [REDACTED]

Date: 24th July 2018

Department: Place & Development
Resilience & Enforcement Team
Contact Name: David Stride
Contact No: 01753 875570 / [REDACTED]
Our Ref: DST/221464

Company Director
[REDACTED]

Dear Sir / Madam,

Environmental Protection Act 1990
Noise Nuisance from Bar H, 254, High Street, Langley, SL3 8HA

I write to inform you that the Council has received a complaint from local residents reporting a noise nuisance from your business, caused by loud amplified music and noise generated from your clients congregating in the smoking area and outside your premises, within the local vicinity of the High Street.

As a result of this complaint the Council will be carrying out an investigation to determine whether the noise is causing a statutory nuisance. This investigation will include the monitoring of noise levels from your business. This may be done through the use of noise monitoring equipment being set up in the complainant's property and/or by officers visiting the complainant's property during times when the a noise disturbance is likely to occur.

Whilst we are carrying out these investigations can you please provide me in writing, what measures you have in place to prevent a noise nuisance and what measures you will be implementing to prevent further noise complaints?

This follows on from a meeting held in Bar H on Friday the 20th July 2018, when the noise complaint was discussed with [REDACTED]

If an Abatement notice is served and you, without reasonable excuse contravene or fail to comply with any requirement of the notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990. Any noise of this nature witnessed after the service of this legal notice is an offence for which noise equipment can be seized and the person responsible will be prosecuted and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale currently at £5,000, together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

Should you require further information or clarification of any point, please do not hesitate to contact me.

Yours faithfully,

David Stride
Housing & Enforcement Officer
Resilience & Enforcement Team
Slough Borough Council

[REDACTED] Galaxy Corporation Ltd, [REDACTED]
The Manager, Bar H, [REDACTED]

APPENDIX D



Taking pride in our communities and town

Premises Licence (PL) / ~~Club Premises (CPC)~~ Inspection Sheet Licensing Act 2003

Premise Name: BAR H	Address: 254 HIGH STREET LANGLEY SLOUGH SL3 8HA
PL / CPC number: PL4384	Date of Inspection: 03-08-18
Time: 12:15pm	

Name & Status of Officers Present: **LEFT 11:05 AM**

Name: **MELANIE SASAL** Job Title: **SENIOR LICENSING OFFICER**

Name: **DAVE STEIN** Job Title: **HOUSE ENFORCEMENT OFFICER**

PL or CPC Licence Summary prominently displayed in premises;

YES NO (Enter comments below)

BEHIND TILL - NEED TO DISPLAY ALL 3 PAGES WHERE PUBLIC CAN EASILY READ - COPY OF FULL LICENCE GIVEN TO JH

PL or CPC holder confirmed as on premises licence;

YES NO (Enter comments below)

Name: **GALAXY CORPORATION**

.....

.....

.....

Designated Premises Supervisor (DPS) confirmed as on premises licence;

YES NO (Enter comments below)

Name of DPS: [REDACTED]

Personal Licence Number:

If the named DPS as on the Premises Licence is no longer at the Premises take the following action.

- Advise the Premises Licence holder that the sale of alcohol must cease forthwith.
 (Tick if advised)
- Advise the Premises Licence holder that a new application to vary the DPS must be made and approved prior to the sale of alcohol being re-instated.
 (Tick if advised)

- Advise the Premises Licence holder that all alcohol must be covered up or removed from display in the premises.

(Tick if advised)

- Hand the Premises Licence holder signage to be displayed at the premises stating "THE SALE OF ALCOHOL AT THESE PREMISES WILL NOT TAKE PLACE UNTIL FURTHER NOTICE".

(Tick if done)

Check that ALL **Mandatory Conditions** (applicable to the PL or CPC) are being complied with.

DPS/ Personal Licence Holder written authorisations for the sale of alcohol; YES NO

ADVISED TO SET UP LIST OF
AUTHORISATIONS.
NOT SURE IF USING TIGHTENED GLASS - ADVISED
NOT TO USE UNTIL GLASS NOT - PLASTIC ONLY.

NO NOISE LIMITED - WAS INSTALLED BY SBC - DOESN'T

Check that ALL **Conditions** as detailed in Annex 1 Annex 2 and Annex 3 PL or CPC are being complied with.

YES NO

POSS FOUND BUT NOT WORKING

CCTV Installed: YES NO

Number of days recordings kept: 32... DPS/Staff member able to download footage: YES NO

IF NOT AVAILABLE ANIL AT EAST MEETS WEST CONCS.

Challenge 21/25, Proof of Age Signage: YES NO

Refusals Register: YES NO

IDENTITIES - NOT EVER NEEDED.

Enter details of any other issues at the premises that need remedial actions. (Enter comments below)

NEW SYSTEM RECORDING 10 DAYS - SINCE
MID JULY - SHOULD BE SET TO MON 8/8/18
SHOWING CORRECT TIME + DATE
YES CCTV NOTICE AT ENTRANCE

Where issues have been identified at the premises, advise the PL Holder / CPC Committee member and / or the DPS that a meeting will be arranged with Thames Valley Police to address them and to put an action plan in place.

(Tick if advised)

Gaming Machines:

- Only permitted with a PL / CPC licence for the retail of alcohol.
- Maximum of 2 category C or D machines.
- Where a Gaming Machine Permit is held, the number of category C or D machines will be specified on the permit.

Number of gaming machines: 4

Category C & D: YES NO (If no, please specify in comments which category)

Does the premises have a Gaming Machine permit: YES NO

Gaming Machine permits displayed in the premises: YES NO

Further Comments;

SMOOSO for 2x CAT C and SYSTEM
3x BL - 1x C - SPICE D PROVIDOR GAVE EMAIL
PART CORRECT PERMIT - BOTH ADVISED
AJAY SWITCH OFF AND UNPLUG B3'S UNTIL
STARTED.

Outstanding annual fee: YES NO DUE 24-08

If payment cannot be made immediately, please be advised that payment must be made within 14 days or civil action will be taken to recover the amount.

If payment has been made immediately enter receipt number and amount below.

Receipt Number:..... Amount £

At the conclusion of the inspection ask the PL holder / DPS / Committee member to read and sign this inspection sheet below for confirmation of all the above.

Please state in which capacity you are signing this form:

DPS

Premises Licence Holder

Committee Member

Other (please specify)

Name (Print): AJAY TNAGAL

Signature: [Redacted]

If there is no PL holder / DPS or Committee member on the premises, contact them as soon as possible to advise of the inspection being conducted and of what actions will follow.

Officer Signature: [Redacted]

Print Name: MELANIE SACAL

Date: 03-08-18

SIA REGISTER 25-5-18 -> 27-7-18
ONLY 1 FINISH TIME
RECORDED. - USE FRONTLINE -



... COMPETITION - SURINDER JHAGAL - DAD
- ANIL JHAGAL - BROTHER

AJAY JHAGAL - DPS - NOT DIRECTOR.
↳ SINCE JAN 18.

* DOOR CLOSED 10PM - NO ACCESS OUTSIDE.

* AJAY HERE EVERY DAY.

* NORMALLY CLOSE 11 - 11:30

FRI - 1AM } IF NOTHING ON
SAT - 12

PRIVATE EVENTS UNTIL 2AM -
LAST DRINK 1:30 AM

SECURITY START MOVING PEOPLE - OUT

AFTER ~~2AM~~ BY 2:30 AM - NO SALES

AFTER 1:30 AM - NO MUSIC.

Section: Resilience & Enforcement Team
Contact: David Stride
Telephone: 01753 875255
Mobile: [REDACTED]

Date: 17th August 2018

Our Ref: DST/221464
Notice Ref: DST/16041

Mr Ajay Jnagal
Bar H
254, High Street, Langley
SL3 8HA

Dear Mr A Jnagal,

Environmental Protection Act 1990, Section 80

Re: Noise Nuisance from "Bar H, 254, High Street, Langley Slough, SL3 8HA"

I refer to my letter dated the 24th July 2018 with regards to noise complaints received from local residents coming from your business. They were concerned about the loud amplified music and noise generated from your clients congregating in the smoking area and outside of your premises.

Prior to this letter, I visited Bar H on the 4th June 2018 and spoke to a female employee. I provided her with my business card and requested that the manager or DPS contact me to discuss this allegation. I did not receive a reply.

On the 20th July 2018, I visited Bar H with my colleague Dorota Lega and discussed with you, the noise complaints and improvements that could be undertaken to resolve this matter. (sound proofing the side door to the smoking area, closing this door at 10pm to restrict people entering the smoking area and installing a noise limiter) This you agreed to adhere to and complete.

On the 3rd August 2018, I visited Bar H with Melanie Sagar a Senior Licencing officer for Slough Borough Council where we met with you to discuss the noise issues that were continuing and to complete a Premises Licence inspection.

You assured me that the door to the smoking area is closed at 10pm every day and that by 2.30am the only people in the building is you.

I have received further complaints from several residents confirming that the noise is still an issue and people are using the smoking area and roof at Bar H who are talking, shouting, swearing and smoking between 22:00hrs and 06:30hrs.

Therefore I am satisfied that the likely recurrence of noise from loud amplified music, shouting and swearing from Bar H is likely to cause neighbouring properties a Statutory Noise Nuisance and I have served you with a **Noise Abatement Notice** under the provisions of Section 80 of the Environmental Protection Act 1990.

Any noise of this nature witnessed after the service of this legal notice is an offence for which noise making equipment can be seized and the person responsible will be prosecuted. If the Courts find that without reasonable excuse you have contravened or failed to comply with any requirement of this notice you will be guilty of an offence and on summary

conviction will be liable to a fine not exceeding £5000 with further fines for each day on which the offence continues.

We will continue to monitor the situation by visits to the area and the use of noise monitoring equipment. If we are satisfied that the nuisance is continuing then we will initiate legal proceedings against you. You should therefore make every effort to reduce the levels of noise from your property.

In order to comply with the notice, I strongly advise that you comply with the conditions within the notice and to ensure that you employ a contractor to service and reset the noise limiter in order to comply with your licensing conditions.

If you have any queries please feel free to contact me on the above telephone number.

Yours sincerely,

David Stride
Housing & Enforcement Officer
Resilience & Enforcement Team

The content of this letter does not form part of the notice enclosed and should not be used to determine or interpret the requirements of the notice.

Copies to:

Mr Anil Jnagal - [REDACTED]

Mrs Kaushalya Jnagal - [REDACTED]
[REDACTED]

Mr Surinder Jnagal - [REDACTED]

**Abatement Notice in respect of Noise Nuisance
ENVIRONMENTAL PROTECTION ACT 1990, Section 80**

To: **Mr Ajay Jnagal (Manager & DPS)**
of: **Bar H, 254, High Street, Langley, Berkshire, SL3 8HA**

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Slough Borough Council ("the Council"), being satisfied of the likely occurrence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at:

Bar H, 254, High Street, Langley, Berkshire, SL3 8HA, within the district of the said Council arising from:

Loud amplified music, raised voices, people talking and shouting within the boundaries of the property as indicated by the attached plan, coloured in Green.

HEREBY REQUIRE YOU, as the occupier of the premises from which the noise is or would be emitted, **forthwith** from the service of this notice to abate the same and also **HEREBY PROHIBIT** the recurrence of the same and for that purpose require you to:

- 1. Ensure that noise from the playing of amplified music, including a DJ does not cause a nuisance to neighbouring residents.**
- 2. Ensure that noise from customers, visitors and occupiers to the property (Bar H) shouting and talking loudly does not cause a nuisance to neighbouring residents after 23:00hrs.**
- 3. Ensure that the side door leading to the smoking area is closed at 22:00hrs and not opened to any person, except in an emergency.**
- 4. Ensure that the roof area at the rear of your property is not used by any person after 22:00hrs**

THIS is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies and, in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale**, together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all of any or the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

DATED 17th August 2018

(Signed) (Authorised Officer)
David Stride, Housing & Enforcement Officer

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows: APPEALS UNDER SECTION 80 (3) of the ENVIRONMENTAL PROTECTION ACT 1990 (“the 1990 Act”)

2. (1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case -
 - (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
 - (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
 - (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
 - (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
 - (e) where the nuisance to which the notice relates -
 - (i) is a nuisance falling within section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade or business premises, or
 - (ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or
 - (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,that the best practicable means were used to prevent, or to counteract the effect of, the nuisance;
 - (f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from the premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
 - (i) any notice served under section 60 or 66 of the Control of Pollution Act 1974 (“the 1974 Act”, (control of noise on construction sites and from certain premises), or
 - (ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
 - (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);
 - (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
 - (h) that the abatement notice should have been served on some person instead of the appellant, being -
 - (i) the person responsible for the nuisance, or
 - (ii) the person responsible for the vehicle, machinery or equipment, or
 - (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
 - (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
 - (i) that the abatement notice might lawfully have been served on some person instead of the appellant, being -
 - (i) in the case where the appellant is the owner of the premises, the occupier of the premises; or
 - (ii) in the case where the appellant is the occupier of the premises, the owner of the premises,and that it would have been equitable for it to have been so served;
 - (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
 - (i) a person also responsible for the nuisance, or
 - (ii) a person who is also owner of the premises, or
 - (iii) a person who is also an occupier of the premises or,
 - (iv) a person who is also the person responsible for the vehicle, machinery or equipment,and that it would have been equitable for it to have been so served.
- (3) if and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which this regulation applies he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may -
 - (a) quash the abatement notice to which the appeal relates, or
 - (b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or
 - (c) dismiss the appeal;and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -
 - (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
 - (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person,
- (7) In exercising its powers under paragraph (6) above, the court -
 - (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
 - (b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

3. (1) Where -
 - (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -
 - (b) either -
 - (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or
 - (ii) in the case of a nuisance under section 79(1)(ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
 - (c) either paragraph (2) does not apply, or if it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where -
 - (a) the nuisance to which the abatement notice relates -
 - (i) is injurious to health, or
 - (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
 - (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
 - (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
 - (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.

(Address to which all communications should be sent)

Slough Borough Council, Resilience & Enforcement Team, St Martin's Place, 51 Bath Road, Slough, SL1 3UF

Section: Resilience & Enforcement Team
Contact: David Stride
Telephone: 01753 875255
Mobile: [REDACTED]

Date: 17th August 2018

Our Ref: DST/221464
Notice Ref: DST/16041

Mr Anil Jnagal
[REDACTED]

Dear Mr A Jnagal,

Environmental Protection Act 1990, Section 80

Re: Noise Nuisance from "Bar H, 254, High Street, Langley Slough, SL3 8HA

I refer to my letter dated the 24th July 2018 with regards to noise complaints received from local residents coming from your business. They were concerned about the loud amplified music and noise generated from your clients congregating in the smoking area and outside of your premises.

Prior to this letter, I visited Bar H on the 4th June 2018 and spoke to a female employee. I provided her with my business card and requested that the manager or DPS contact me to discuss this allegation. I did not receive a reply.

On the 20th July 2018, I visited Bar H with my colleague Dorota Lega and discussed with Mr Ajay Jnagal, the noise complaints and improvements that could be undertaken to resolve this matter. (sound proofing the side door to the smoking area, closing this door at 10pm to restrict people entering the smoking area and installing a noise limiter) This he agreed to adhere to and complete.

On the 3rd August 2018, I visited Bar H with Melanie Sagar a Senior Licencing officer for Slough Borough Council where we met with Mr Ajay Jnagal to discuss the noise issues that were continuing and to complete a Premises Licence inspection.

Mr Ajay Jnagal assured me that the door to the smoking area is closed at 10pm every day and that by 2.30am the only people in the building is Ajay.

I have received further complaints from several residents confirming that the noise is still an issue and people are using the smoking area and roof at Bar H who are talking, shouting, swearing and smoking between 22:00hrs and 06:30hrs.

Therefore I am satisfied that the likely recurrence of noise from loud amplified music, shouting and swearing from Bar H is likely to cause neighbouring properties a Statutory Noise Nuisance and I have served you with a **Noise Abatement Notice** under the provisions of Section 80 of the Environmental Protection Act 1990.

Any noise of this nature witnessed after the service of this legal notice is an offence for which noise making equipment can be seized and the person responsible will be prosecuted. If the Courts find that without reasonable excuse you have contravened or failed to comply with any requirement of this notice you will be guilty of an offence and on summary

conviction will be liable to a fine not exceeding £5000 with further fines for each day on which the offence continues.

We will continue to monitor the situation by visits to the area and the use of noise monitoring equipment. If we are satisfied that the nuisance is continuing then we will initiate legal proceedings against you. You should therefore make every effort to reduce the levels of noise from your property.

In order to comply with the notice, I strongly advise that you comply with the conditions within the notice and to ensure that you employ a contractor to service and reset the noise limiter in order to comply with your licensing conditions.

If you have any queries please feel free to contact me on the above telephone number.

Yours sincerely,

David Stride
Housing & Enforcement Officer
Resilience & Enforcement Team

The content of this letter does not form part of the notice enclosed and should not be used to determine or interpret the requirements of the notice.

Copies to:

Mr Ajay Jnagal - [REDACTED]

Mrs Kaushalya Jnagal - [REDACTED]

Mr Surinder Jnagal - [REDACTED]

**Abatement Notice in respect of Noise Nuisance
ENVIRONMENTAL PROTECTION ACT 1990, Section 80**

To: **Mr Anil Jnagal (Person with significant control)**
of: **Bar H, 254, High Street, Langley, Berkshire, SL3 8HA**

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Slough Borough Council ("the Council"), being satisfied of the likely occurrence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at:

Bar H, 254, High Street, Langley, Berkshire, SL3 8HA, within the district of the said Council arising from:

Loud amplified music, raised voices, people talking and shouting within the boundaries of the property as indicated by the attached plan, coloured in Green.

HEREBY REQUIRE YOU, as the person with significant control of the premises from which the noise is or would be emitted, **forthwith** from the service of this notice to abate the same and also **HEREBY PROHIBIT** the recurrence of the same and for that purpose require you to:

- 1. Ensure that noise from the playing of amplified music, including a DJ does not cause a nuisance to neighbouring residents.**
- 2. Ensure that noise from customers, visitors and occupiers to the property (Bar H) shouting and talking loudly does not cause a nuisance to neighbouring residents after 23:00hrs.**
- 3. Ensure that the side door leading to the smoking area is closed at 22:00hrs and not opened to any person, except in an emergency.**
- 4. Ensure that the roof area at the rear of your property is not used by any person after 22:00hrs**

THIS is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies and, in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale**, together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all of any or the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

DATED 17th August 2018

(Signed)(Authorised Officer)
David Stride, Housing & Enforcement Officer

N.B. The person served with this notice may appeal against the notice to a magistrates' court within twenty-one days beginning with the date of service of the notice. See notes on the reverse of this form.

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows: APPEALS UNDER SECTION 80 (3) of the ENVIRONMENTAL PROTECTION ACT 1990 (“the 1990 Act”)

2. (1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case -
- (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
 - (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
 - (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
 - (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
 - (e) where the nuisance to which the notice relates -
 - (i) is a nuisance falling within section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade or business premises, or
 - (ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or
 - (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,that the best practicable means were used to prevent, or to counteract the effect of, the nuisance;
 - (f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from the premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
 - (i) any notice served under section 60 or 66 of the Control of Pollution Act 1974 (“the 1974 Act”, (control of noise on construction sites and from certain premises), or
 - (ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
 - (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);
 - (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
 - (h) that the abatement notice should have been served on some person instead of the appellant, being -
 - (i) the person responsible for the nuisance, or
 - (ii) the person responsible for the vehicle, machinery or equipment, or
 - (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
 - (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
 - (i) that the abatement notice might lawfully have been served on some person instead of the appellant, being -
 - (i) in the case where the appellant is the owner of the premises, the occupier of the premises; or
 - (ii) in the case where the appellant is the occupier of the premises, the owner of the premises,and that it would have been equitable for it to have been so served;
 - (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
 - (i) a person also responsible for the nuisance, or
 - (ii) a person who is also owner of the premises, or
 - (iii) a person who is also an occupier of the premises or,
 - (iv) a person who is also the person responsible for the vehicle, machinery or equipment,and that it would have been equitable for it to have been so served.
- (3) if and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which this regulation applies he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may -
- (a) quash the abatement notice to which the appeal relates, or
 - (b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or
 - (c) dismiss the appeal;
- and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -
- (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
 - (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person,
- (7) In exercising its powers under paragraph (6) above, the court -
- (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
 - (b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

3. (1) Where -
- (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -
 - (b) either -
 - (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or
 - (ii) in the case of a nuisance under section 79(1)(ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
 - (c) either paragraph (2) does not apply, or if it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where -
- (a) the nuisance to which the abatement notice relates -
 - (i) is injurious to health, or
 - (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
 - (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
- (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
 - (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.

(Address to which all communications should be sent)

Slough Borough Council, Resilience & Enforcement Team, St Martin's Place, 51 Bath Road, Slough, SL1 3UF

Section: Resilience & Enforcement Team
Contact: David Stride
Telephone: 01753 875255
Mobile: [REDACTED]

Date: 17th August 2018

Our Ref: DST/221464
Notice Ref: DST/16041

Mrs Kaushalya Jnagal
[REDACTED]

Dear Mrs K Jnagal,

Environmental Protection Act 1990, Section 80
Re: Noise Nuisance from "Bar H, 254, High Street, Langley Slough, SL3 8HA"

I refer to my letter dated the 24th July 2018 with regards to noise complaints received from local residents coming from your business. They were concerned about the loud amplified music and noise generated from your clients congregating in the smoking area and outside of your premises.

Prior to this letter, I visited Bar H on the 4th June 2018 and spoke to a female employee. I provided her with my business card and requested that the manager or DPS contact me to discuss this allegation. I did not receive a reply.

On the 20th July 2018, I visited Bar H with my colleague Dorota Lega and discussed with Mr Ajay Jnagal, the noise complaints and improvements that could be undertaken to resolve this matter. (sound proofing the side door to the smoking area, closing this door at 10pm to restrict people entering the smoking area and installing a noise limiter) This he agreed to adhere to and complete.

On the 3rd August 2018, I visited Bar H with Melanie Sagar a Senior Licencing officer for Slough Borough Council where we met with Mr Ajay Jnagal to discuss the noise issues that were continuing and to complete a Premises Licence inspection.

Mr Ajay Jnagal assured me that the door to the smoking area is closed at 10pm every day and that by 2.30am the only people in the building is Ajay.

I have received further complaints from several residents confirming that the noise is still an issue and people are using the smoking area and roof at Bar H who are talking, shouting, swearing and smoking between 22:00hrs and 06:30hrs.

Therefore I am satisfied that the likely recurrence of noise from loud amplified music, shouting and swearing from Bar H is likely to cause neighbouring properties a Statutory Noise Nuisance and I have served you with a **Noise Abatement Notice** under the provisions of Section 80 of the Environmental Protection Act 1990.

Any noise of this nature witnessed after the service of this legal notice is an offence for which noise making equipment can be seized and the person responsible will be prosecuted. If the Courts find that without reasonable excuse you have contravened or failed to comply with any requirement of this notice you will be guilty of an offence and on summary

conviction will be liable to a fine not exceeding £5000 with further fines for each day on which the offence continues.

We will continue to monitor the situation by visits to the area and the use of noise monitoring equipment. If we are satisfied that the nuisance is continuing then we will initiate legal proceedings against you. You should therefore make every effort to reduce the levels of noise from your property.

In order to comply with the notice, I strongly advise that you comply with the conditions within the notice and to ensure that you employ a contractor to service and reset the noise limiter in order to comply with your licensing conditions.

If you have any queries please feel free to contact me on the above telephone number.

Yours sincerely,

David Stride
Housing & Enforcement Officer
Resilience & Enforcement Team

The content of this letter does not form part of the notice enclosed and should not be used to determine or interpret the requirements of the notice.

Copies to:

Mr Ajay Jnagal - [REDACTED]

Mr Anil Jnagal - [REDACTED]

Mr Surinder Jnagal - [REDACTED]

**Abatement Notice in respect of Noise Nuisance
ENVIRONMENTAL PROTECTION ACT 1990, Section 80**

To: **Mrs Kaushalya Jnagal (Person with significant control)**
of: **Bar H, 254, High Street, Langley, Berkshire, SL3 8HA**

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Slough Borough Council ("the Council"), being satisfied of the likely occurrence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at:

Bar H, 254, High Street, Langley, Berkshire, SL3 8HA, within the district of the said Council arising from:

Loud amplified music, raised voices, people talking and shouting within the boundaries of the property as indicated by the attached plan, coloured in Green.

HEREBY REQUIRE YOU, as the person with significant control of the premises from which the noise is or would be emitted, **forthwith** from the service of this notice to abate the same and also **HEREBY PROHIBIT** the recurrence of the same and for that purpose require you to:

- 1. Ensure that noise from the playing of amplified music, including a DJ does not cause a nuisance to neighbouring residents.**
- 2. Ensure that noise from customers, visitors and occupiers to the property (Bar H) shouting and talking loudly does not cause a nuisance to neighbouring residents after 23:00hrs.**
- 3. Ensure that the side door leading to the smoking area is closed at 22:00hrs and not opened to any person, except in an emergency.**
- 4. Ensure that the roof area at the rear of your property is not used by any person after 22:00hrs**

THIS is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies and, in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale**, together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all of any or the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

DATED 17th August 2018

(Signed)(Authorised Officer)
David Stride, Housing & Enforcement ~~Page~~ 70

N.B. The person served with this notice may appeal against the notice to a magistrates' court within twenty-one days beginning with the date of service of the notice. See notes on the reverse of this form.

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows: APPEALS UNDER SECTION 80 (3) of the ENVIRONMENTAL PROTECTION ACT 1990 (“the 1990 Act”)

2. (1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case -
 - (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
 - (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
 - (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
 - (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
 - (e) where the nuisance to which the notice relates -
 - (i) is a nuisance falling within section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade or business premises, or
 - (ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or
 - (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,
 - (f) that the best practicable means were used to prevent, or to counteract the effect of, the nuisance;
that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from the premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
 - (i) any notice served under section 60 or 66 of the Control of Pollution Act 1974 (“the 1974 Act”, (control of noise on construction sites and from certain premises), or
 - (ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
 - (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);
 - (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
 - (h) that the abatement notice should have been served on some person instead of the appellant, being -
 - (i) the person responsible for the nuisance, or
 - (ii) the person responsible for the vehicle, machinery or equipment, or
 - (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
 - (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
 - (i) that the abatement notice might lawfully have been served on some person instead of the appellant, being -
 - (i) in the case where the appellant is the owner of the premises, the occupier of the premises; or
 - (ii) in the case where the appellant is the occupier of the premises, the owner of the premises,and that it would have been equitable for it to have been so served;
 - (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
 - (i) a person also responsible for the nuisance, or
 - (ii) a person who is also owner of the premises, or
 - (iii) a person who is also an occupier of the premises or,
 - (iv) a person who is also the person responsible for the vehicle, machinery or equipment,and that it would have been equitable for it to have been so served.
- (3) if and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which this regulation applies he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may -
 - (a) quash the abatement notice to which the appeal relates, or
 - (b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or
 - (c) dismiss the appeal;and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -
 - (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
 - (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person,
- (7) In exercising its powers under paragraph (6) above, the court -
 - (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
 - (b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

3. (1) Where -
 - (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -
 - (b) either -
 - (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or
 - (ii) in the case of a nuisance under section 79(1)(ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
 - (c) either paragraph (2) does not apply, or if it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where -
 - (a) the nuisance to which the abatement notice relates -
 - (i) is injurious to health, or
 - (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
 - (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
 - (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
 - (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.

(Address to which all communications should be sent)

Slough Borough Council, Resilience & Enforcement Team, St Martin's Place, 51 Bath Road, Slough, SL1 3UF

Section: Resilience & Enforcement Team
Contact: David Stride
Telephone: 01753 875255
Mobile: [REDACTED]

Date: 17th August 2018

Our Ref: DST/221464
Notice Ref: DST/16041

Mrs Kaushalya Jnagal
[REDACTED]

Dear Mrs K Jnagal,

Environmental Protection Act 1990, Section 80

Re: Noise Nuisance from "Bar H, 254, High Street, Langley Slough, SL3 8HA

I refer to my letter dated the 24th July 2018 with regards to noise complaints received from local residents coming from your business. They were concerned about the loud amplified music and noise generated from your clients congregating in the smoking area and outside of your premises.

Prior to this letter, I visited Bar H on the 4th June 2018 and spoke to a female employee. I provided her with my business card and requested that the manager or DPS contact me to discuss this allegation. I did not receive a reply.

On the 20th July 2018, I visited Bar H with my colleague Dorota Lega and discussed with Mr Ajay Jnagal, the noise complaints and improvements that could be undertaken to resolve this matter. (sound proofing the side door to the smoking area, closing this door at 10pm to restrict people entering the smoking area and installing a noise limiter) This he agreed to adhere to and complete.

On the 3rd August 2018, I visited Bar H with Melanle Sagar a Senior Licencing officer for Slough Borough Council where we met with Mr Ajay Jnagal to discuss the noise issues that were continuing and to complete a Premises Licence inspection.

Mr Ajay Jnagal assured me that the door to the smoking area is closed at 10pm every day and that by 2.30am the only people in the building is Ajay.

I have received further complaints from several residents confirming that the noise is still an issue and people are using the smoking area and roof at Bar H who are talking, shouting, swearing and smoking between 22:00hrs and 06:30hrs.

Therefore I am satisfied that the likely recurrence of noise from loud amplified music, shouting and swearing from Bar H is likely to cause neighbouring properties a Statutory Noise Nuisance and I have served you with a **Noise Abatement Notice** under the provisions of Section 80 of the Environmental Protection Act 1990.

Any noise of this nature witnessed after the service of this legal notice is an offence for which noise making equipment can be seized and the person responsible will be prosecuted. If the Courts find that without reasonable excuse you have contravened or failed to comply with any requirement of this notice you will be guilty of an offence and on summary

conviction will be liable to a fine not exceeding £5000 with further fines for each day on which the offence continues.

We will continue to monitor the situation by visits to the area and the use of noise monitoring equipment. If we are satisfied that the nuisance is continuing then we will initiate legal proceedings against you. You should therefore make every effort to reduce the levels of noise from your property.

In order to comply with the notice, I strongly advise that you comply with the conditions within the notice and to ensure that you employ a contractor to service and reset the noise limiter in order to comply with your licensing conditions.

If you have any queries please feel free to contact me on the above telephone number.

Yours sincerely,

David Stride
Housing & Enforcement Officer
Resilience & Enforcement Team

The content of this letter does not form part of the notice enclosed and should not be used to determine or interpret the requirements of the notice.

Copies to:

Mr Ajay Jnagal – [REDACTED]

Mr Anil Jnagal - [REDACTED]

Mr Surinder Jnagal - [REDACTED]

**Abatement Notice in respect of Noise Nuisance
ENVIRONMENTAL PROTECTION ACT 1990, Section 80**

To: **Mrs Kaushalya Jnagal (Owner)**
of: **Bar H, 254, High Street, Langley, Berkshire, SL3 8HA**

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Slough Borough Council ("the Council"), being satisfied of the likely occurrence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at:

Bar H, 254, High Street, Langley, Berkshire, SL3 8HA, within the district of the said Council arising from:

Loud amplified music, raised voices, people talking and shouting within the boundaries of the property as indicated by the attached plan, coloured in Green.

HEREBY REQUIRE YOU, as the owner of the premises from which the noise is or would be emitted, **forthwith** from the service of this notice to abate the same and also **HEREBY PROHIBIT** the recurrence of the same and for that purpose require you to:

- 1. Ensure that noise from the playing of amplified music, including a DJ does not cause a nuisance to neighbouring residents.**
- 2. Ensure that noise from customers, visitors and occupiers to the property (Bar H) shouting and talking loudly does not cause a nuisance to neighbouring residents after 23:00hrs.**
- 3. Ensure that the side door leading to the smoking area is closed at 22:00hrs and not opened to any person, except in an emergency.**
- 4. Ensure that the roof area at the rear of your property is not used by any person after 22:00hrs**

THIS is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies and, in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale**, together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all of any or the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

DATED 17th August 2018

(Signed)(Authorised Officer)
David Stride, Housing & Enforcement

N.B. The person served with this notice may appeal against the notice to a magistrates' court within twenty-one days beginning with the date of service of the notice. See notes on the reverse of this form.

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows: APPEALS UNDER SECTION 80 (3) of the ENVIRONMENTAL PROTECTION ACT 1990 (“the 1990 Act”)

2. (1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case -
- (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
- (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
- (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
- (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
- (e) where the nuisance to which the notice relates -
- (i) is a nuisance falling within section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade or business premises, or
- (ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or
- (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,
- that the best practicable means were used to prevent, or to counteract the effect of, the nuisance;
- (f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from the premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
- (i) any notice served under section 60 or 66 of the Control of Pollution Act 1974 (“the 1974 Act”, (control of noise on construction sites and from certain premises), or
- (ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone). or
- (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);
- (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
- (h) that the abatement notice should have been served on some person instead of the appellant, being -
- (i) the person responsible for the nuisance, or
- (ii) the person responsible for the vehicle, machinery or equipment, or
- (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
- (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
- (i) that the abatement notice might lawfully have been served on some person instead of the appellant, being -
- (i) in the case where the appellant is the owner of the premises, the occupier of the premises; or
- (ii) in the case where the appellant is the occupier of the premises, the owner of the premises,
- and that it would have been equitable for it to have been so served;
- (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
- (i) a person also responsible for the nuisance, or
- (ii) a person who is also owner of the premises, or
- (iii) a person who is also an occupier of the premises or,
- (iv) a person who is also the person responsible for the vehicle, machinery or equipment,
- and that it would have been equitable for it to have been so served.
- (3) if and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which this regulation applies he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may -
- (a) quash the abatement notice to which the appeal relates, or
- (b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or
- (c) dismiss the appeal;
- and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -
- (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
- (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person,
- (7) In exercising its powers under paragraph (6) above, the court -
- (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
- (b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

SUSPENSION OF NOTICE

3. (1) Where -
- (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -
- (b) either -
- (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or
- (ii) in the case of a nuisance under section 79(1)(ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
- (c) either paragraph (2) does not apply, or if it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where -
- (a) the nuisance to which the abatement notice relates -
- (i) is injurious to health, or
- (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
- (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
- (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
- (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.

(Address to which all communications should be sent)

Slough Borough Council, Resilience & Enforcement Team, St Martin's Place, 51 Bath Road, Slough, SL1 3UF

Section: Resilience & Enforcement Team
Contact: David Stride
Telephone: 01753 875255
Mobile: [REDACTED]

Date: 17th August 2018

Our Ref: DST/221464
Notice Ref: DST/16041

Mr Surinder Jnagal
[REDACTED]

Dear Mr S Jnagal,

Environmental Protection Act 1990, Section 80

Re: Noise Nuisance from "Bar H, 254, High Street, Langley Slough, SL3 8HA"

I refer to my letter dated the 24th July 2018 (copy attached) with regards to noise complaints received from local residents coming from your business. They were concerned about the loud amplified music and noise generated from your clients congregating in the smoking area and outside of your premises.

Prior to this letter, I visited Bar H on the 4th June 2018 and spoke to a female employee. I provided her with my business card and requested that the manager or DPS contact me to discuss this allegation. I did not receive a reply.

On the 20th July 2018, I visited Bar H with my colleague Dorota Lega and discussed with Mr Ajay Jnagal, the noise complaints and improvements that could be undertaken to resolve this matter. (sound proofing the side door to the smoking area, closing this door at 10pm to restrict people entering the smoking area and installing a noise limiter) This he agreed to adhere to and complete.

On the 3rd August 2018, I visited Bar H with Melanie Sagar a Senior Licencing officer for Slough Borough Council where we met with Mr Ajay Jnagal to discuss the noise issues that were continuing and to complete a Premises Licence inspection.

Mr Ajay Jnagal assured me that the door to the smoking area is closed at 10pm every day and that by 2.30am the only people in the building is Ajay.

I have received further complaints from several residents confirming that the noise is still an issue and people are using the smoking area and roof at Bar H who are talking, shouting, swearing and smoking between 22:00hrs and 06:30hrs.

Therefore I am satisfied that the likely recurrence of noise from loud amplified music, shouting and swearing from Bar H is likely to cause neighbouring properties a Statutory Noise Nuisance and I have served you with a **Noise Abatement Notice** under the provisions of Section 80 of the Environmental Protection Act 1990.

Any noise of this nature witnessed after the service of this legal notice is an offence for which noise making equipment can be seized and the person responsible will be prosecuted. If the Courts find that without reasonable excuse you have contravened or failed to comply with any requirement of this notice you will be guilty of an offence and on summary

conviction will be liable to a fine not exceeding £5000 with further fines for each day on which the offence continues.

We will continue to monitor the situation by visits to the area and the use of noise monitoring equipment. If we are satisfied that the nuisance is continuing then we will initiate legal proceedings against you. You should therefore make every effort to reduce the levels of noise from your property.

In order to comply with the notice, I strongly advise that you comply with the conditions within the notice and to ensure that you employ a contractor to service and reset the noise limiter in order to comply with your licensing conditions.

If you have any queries please feel free to contact me on the above telephone number.

Yours sincerely,

David Stride
Housing & Enforcement Officer
Resilience & Enforcement Team

The content of this letter does not form part of the notice enclosed and should not be used to determine or interpret the requirements of the notice.

Copies to:

Mr Ajay Jnagal - [REDACTED]

Mr Anil Jnagal - [REDACTED]

[REDACTED]

**Abatement Notice in respect of Noise Nuisance
ENVIRONMENTAL PROTECTION ACT 1990, Section 80**

To: **Mr Surinder Jnagal (Owner)**
of: **Bar H, 254, High Street, Langley, Berkshire, SL3 8HA**

TAKE NOTICE that under the provisions of the Environmental Protection Act 1990 the Slough Borough Council ("the Council"), being satisfied of the likely occurrence of noise amounting to a statutory nuisance under section 79(1)(g) of that Act at:

Bar H, 254, High Street, Langley, Berkshire, SL3 8HA, within the district of the said Council arising from:

Loud amplified music, raised voices, people talking and shouting within the boundaries of the property as indicated by the attached plan, coloured in Green.

HEREBY REQUIRE YOU, as the owner of the premises from which the noise is or would be emitted, **forthwith** from the service of this notice to abate the same and also **HEREBY PROHIBIT** the recurrence of the same and for that purpose require you to:

- 1. Ensure that noise from the playing of amplified music, including a DJ does not cause a nuisance to neighbouring residents.**
- 2. Ensure that noise from customers, visitors and occupiers to the property (Bar H) shouting and talking loudly does not cause a nuisance to neighbouring residents after 23:00hrs.**
- 3. Ensure that the side door leading to the smoking area is closed at 22:00hrs and not opened to any person, except in an emergency.**
- 4. Ensure that the roof area at the rear of your property is not used by any person after 22:00hrs**

THIS is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies and, in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale**, together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all of any or the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

DATED 17th August 2018

(Signed)(Authorised Officer)
David Stride, Housing & Enforcement

N.B. The person served with this notice may appeal against the notice to a magistrates' court within twenty-one days beginning with the date of service of the notice. See notes on the reverse of this form.

The Statutory Nuisance (Appeals) Regulations 1995 provide as follows: APPEALS UNDER SECTION 80 (3) of the ENVIRONMENTAL PROTECTION ACT 1990 (“the 1990 Act”)

2. (1) The provisions of this regulation apply in relation to an appeal brought by any person under section 80(3) of the 1990 Act (appeals to magistrates) against an abatement notice served upon him by a local authority.
- (2) The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case -
 - (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
 - (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
 - (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
 - (d) that the time, or, where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
 - (e) where the nuisance to which the notice relates -
 - (i) is a nuisance falling within section 79(1)(a), (d), (e), (f) or (g) of the 1990 Act and arises on industrial, trade or business premises, or
 - (ii) is a nuisance falling within section 79(1)(b), of the 1990 Act and the smoke is emitted from a chimney, or
 - (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes,that the best practicable means were used to prevent, or to counteract the effect of, the nuisance;
 - (f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from the premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of -
 - (i) any notice served under section 60 or 66 of the Control of Pollution Act 1974 (“the 1974 Act”, (control of noise on construction sites and from certain premises), or
 - (ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
 - (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);
 - (g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule to the Noise and Statutory Nuisance Act 1993 (loudspeakers in streets or roads);
 - (h) that the abatement notice should have been served on some person instead of the appellant, being -
 - (i) the person responsible for the nuisance, or
 - (ii) the person responsible for the vehicle, machinery or equipment, or
 - (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
 - (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;
 - (i) that the abatement notice might lawfully have been served on some person instead of the appellant, being -
 - (i) in the case where the appellant is the owner of the premises, the occupier of the premises; or
 - (ii) in the case where the appellant is the occupier of the premises, the owner of the premises,and that it would have been equitable for it to have been so served;
 - (j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being -
 - (i) a person also responsible for the nuisance, or
 - (ii) a person who is also owner of the premises, or
 - (iii) a person who is also an occupier of the premises or,
 - (iv) a person who is also the person responsible for the vehicle, machinery or equipment,and that it would have been equitable for it to have been so served.
- (3) if and so far as an appeal is based on the ground of some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the notice served under section 80A(3), the court shall dismiss the appeal if it is satisfied that the informality, defect or error was not a material one.
- (4) Where the grounds upon which an appeal is brought include a ground specified in paragraph (2)(i) or (j) above, the appellant shall serve a copy of his notice of appeal on any other person referred to, and in the case of any appeal to which this regulation applies he may serve a copy of his notice of appeal on any other person having an estate or interest in the premises, vehicle, machinery or equipment in question.
- (5) On the hearing of the appeal the court may -
 - (a) quash the abatement notice to which the appeal relates, or
 - (b) vary the abatement notice in favour of the appellant, in such manner as it thinks fit, or
 - (c) dismiss the appeal;and an abatement notice that is varied under sub-paragraph (b) above shall be final and shall otherwise have effect, as so varied, as if it had been so made by the local authority
- (6) Subject to paragraph (7) below, on the hearing of an appeal the court may make such order as it thinks fit -
 - (a) with respect to the person by whom any work is to be executed and the contribution to be made by any person towards the cost of the work, or
 - (b) as to the proportions in which any expenses which may become recoverable by the authority under Part III of the 1990 Act are to be borne by the appellant and by any other person,
- (7) In exercising its powers under paragraph (6) above, the court -
 - (a) shall have regard, as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of any relevant tenancy and to the nature of the works required, and
 - (b) shall be satisfied, before it imposes any requirement thereunder on any person other than the appellant, that that person has received a copy of the notice of appeal in pursuance of paragraph (4) above.

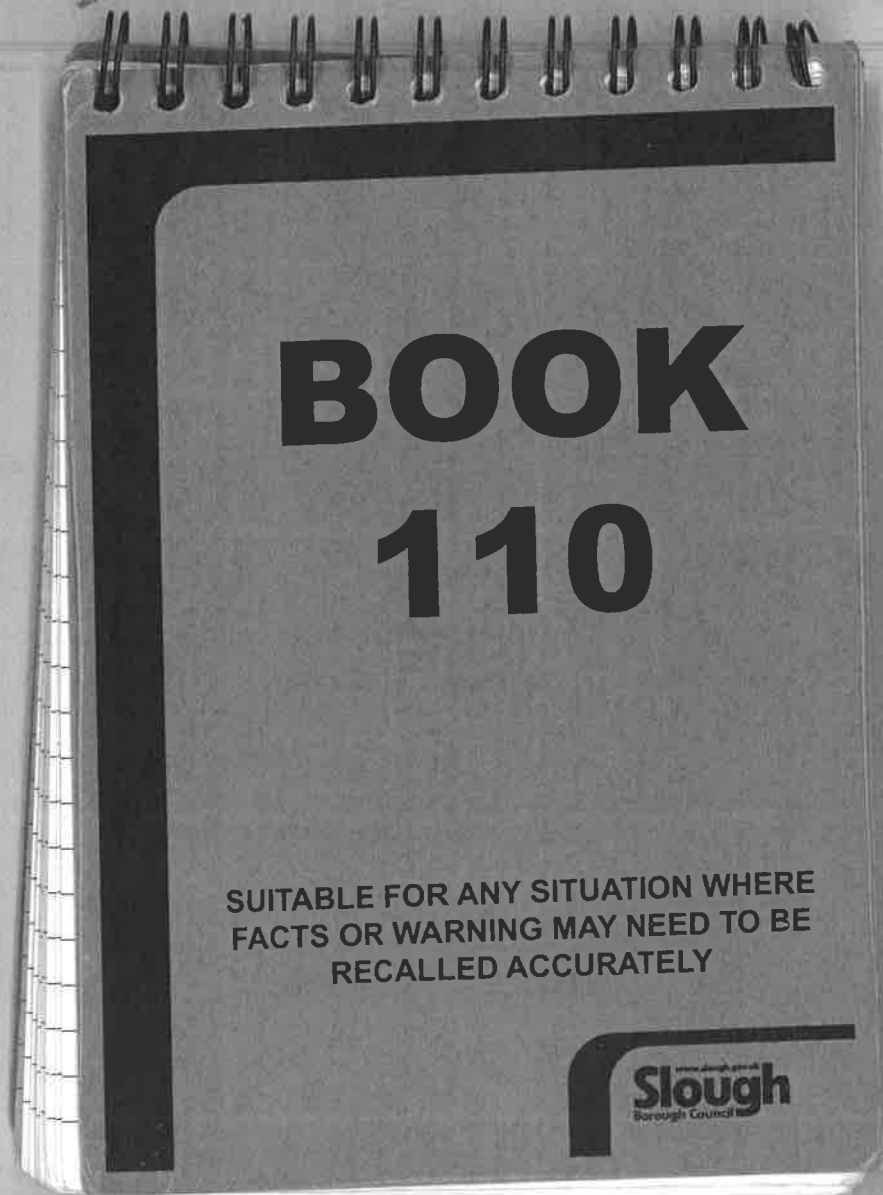
SUSPENSION OF NOTICE

3. (1) Where -
 - (a) an appeal is brought against an abatement notice served under section 80 or section 80A of the 1990 Act, and -
 - (b) either -
 - (i) compliance with the abatement notice would involve any person in expenditure on the carrying out of the works before the hearing of the appeal, or
 - (ii) in the case of a nuisance under section 79(1)(ga) of the 1990 Act, the noise to which the abatement notice relates is noise necessarily caused in the course of the performance of some duty imposed by law on the appellant, and
 - (c) either paragraph (2) does not apply, or if it does apply but the requirements of paragraph (3) have not been met, the abatement notice shall be suspended until the appeal has been abandoned or decided by the court.
- (2) This paragraph applies where -
 - (a) the nuisance to which the abatement notice relates -
 - (i) is injurious to health, or
 - (ii) is likely to be of a limited duration such that suspension of the notice would render it of no practical effect, or
 - (b) the expenditure which would be incurred by any person in the carrying out of works in compliance with the abatement notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance.
- (3) Where paragraph (2) applies the abatement notice -
 - (a) shall include a statement that paragraph (2) applies, and that as a consequence it shall have effect notwithstanding any appeal to a magistrates' court which has not been decided by the court, and
 - (b) shall include a statement as to which of the grounds set out in paragraph (2) apply.

(Address to which all communications should be sent)

Slough Borough Council, Resilience & Enforcement Team, St Martin's Place, 51 Bath Road, Slough, SL1 3UF

APPENDIX F



31
 turning left towards west
 5th Street. Saw guard
 5'8" to 5'10" tall, short dark
 hair, grey head suit - mid 20s.
 Recognized him again if seen.
 returned to Hawker house.
 parents old.
 to read on car radio house.
 3 minutes IMA (I-3 cancelled).
 noted - (last minute) suit of arms
 - MANDUCOR LEATHERS LTD
 16 South Road, SANITARY US1127.
 020 8813822.
 1730 Contacted Mr. S. [unclear]
 SWAGAT. Updated him re
 events @ Bar H. - events at
 his home address. Said he
 would speak to his sons and
 unaware of what was happening.
 Email sent to Campbell (unclear)
 with conditions etc.



30
 that you are complying with
 your conditions.
 Compensation ended - returned
 to Hawker house.
 with Stephen. Andrew drove
 to [redacted]
 west driveway and at 15:38
 he had delivered two envelopes
 containing paperwork notices
 through letter box, witnessed
 by Stephen Coughell.
 returned to vehicle. about to
 drive off and saw a silver
 colored Audi [redacted]
 park close to my supper.
 Asian male vacated and walked
 to myself. Turned vehicle
 around and saw Asian male
 walking back to his car with
 an envelope reading it. got in
 turned around and drove away

APPENDIX G

Stride David

From: White Johnny <[REDACTED]>
Sent: 24 August 2018 15:36
To: Stride David
Subject: FW: Bar H, 254 High Street, Langley

Regards

PS 6358 Johnny White|Neighbourhood East, Problem Solving Sergeant
Telephone [REDACTED] Internal 3316345
Address Slough Police Station, Windsor Road, Slough, SL1 2HH
Email [REDACTED]



SIT PAX IN VALLE TAMESIS

From: Parker-James Terrie
Sent: 24 August 2018 10:10
To: White Johnny <[REDACTED]>
Subject: Bar H, 254 High Street, Langley

Hi Johnny

Below is everything on C&C and I've taken a look through archived but nothing.

- URN 105 17/08/18 persons on roof screaming/shouting, fight imminent (immediate)
- URN 1124 07/07/18 male causing issues outside of pub (immediate)
- URN 1115 07/07/18 male been punched, trying to take can of beer into bar (immediate)
- URN 1734 03/06/18 fight (immediate)

URN 1602 31/03/18 female drinking in bar, does not have insurance for car and will be leaving to drive
URN 1412 31/03/18 female kicked caller and bitten security guard (immediate)

Kind Regards

Terrie

*PCSO 9521 Terrie Parker-James
Colnbrook/Popple/Foxborough Neighbourhood Team
Slough Police Station
Windsor Road
Slough
Berkshire
SL1 2AA*



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APPENDIX H

STATEMENT OF WITNESS

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

Statement of Dorota Lega

Age of Witness Over 18

This statement, consisting of 3 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 state in it anything that I know to be false or do not believe to be true.

Signature

Date: 11 September 2018

I, Dorota Lega, Housing and Enforcement Officer, have worked in Environmental Health/Public Protection for over four years. I am an authorised officer of the Council for the purpose of exercising powers under the Environmental Protection Act 1990.

On the evening of Saturday 25th August 2018 I was on duty as the Out of Hours Officer to respond to calls regarding noise nuisance. At 22:59 hours I received a call from the Council's Antisocial Behaviour Hotline regarding loud music coming from Bar H, Snooker Club, 254 High Street, Langley, Slough, Berkshire

At 23:24 hours I telephoned the complainant back and agreed to visit to attempt to witness the alleged breach of the noise abatement notice which had previously been issued to the Designated Premises Supervisor of Bar H, Snooker Club, 254 High Street, Langley, Slough, Berkshire.

I arrived at the complainants address at 23:51 hours. I then parked my car further along [REDACTED] to visit the complainants property to gather evidence as to the noise levels being experienced. I knocked at the front door of [REDACTED] and was met by the complainant [REDACTED] Bar H, Snooker Club, 254 High Street, Langley, Slough.

This is shown on the map that I produced as exhibit 1 marked DL/01.

Signature: [REDACTED]

Date: 11 September 2018

I was shown to the master bedroom which is upstairs on first floor and at rear of [REDACTED] Elmhurst Road as you look at the property. On entering the master bedroom I could hear conversation in a background and loud bass which was intrusive and would disturb sleep.

I produced copy of my notes taken during the visit as exhibit 2 marked DL/02-04.

23:54 hours loud music and bass still audible inside complainants bedroom. The complainant has her windows on slightly open to allow air circulation. At 23:54 hours I do not recognize the song but bass still clearly audible and intrusive. Even with the window fully closed the music is heard, the bass in frequent intervals and audible. On Sunday 26th August 2018 at 00:03 hours loud bass ongoing and audible over my conversation with [REDACTED] and [REDACTED] I also hear the DJ male voice in between songs. Still listening in the master bedroom. 00:09 hours I can hear Asian type of music, the bass is more frequent. 00:15 hours change of music, it sounds like rap I hear repetitive words but I do not recognize what is being said. 00:21 hours the rap music continues, loud bass heard. 00:26 hours frequent bass heard.

At 00:30 hours I agreed with [REDACTED] that I would leave them and would monitor the situation for a while longer outside. At around 00:32 hours I left [REDACTED] Elmhurst Road and walked towards High Street, Langley. I crossed the road and stood on a grass verge diagonally opposite the Bar H on the far side of the road in front of CK Carpets shop to continue to monitor the situation. There were about 20 people outside and in front of Bar H.

The males and females were having a loud conversation outside Bar H in a fenced off area which appeared to form the bar front garden. I could see some of them smoking cigarettes and some standing with glass or bottle of drink. I could see coloured lights illuminating and flickering coming through front window of the premises. The loud music continues.

I leave the location at 00:38 hours while the situation with loud music and outside conversation continues.

Signature: ... [REDACTED]

Date: *11 September 2018*

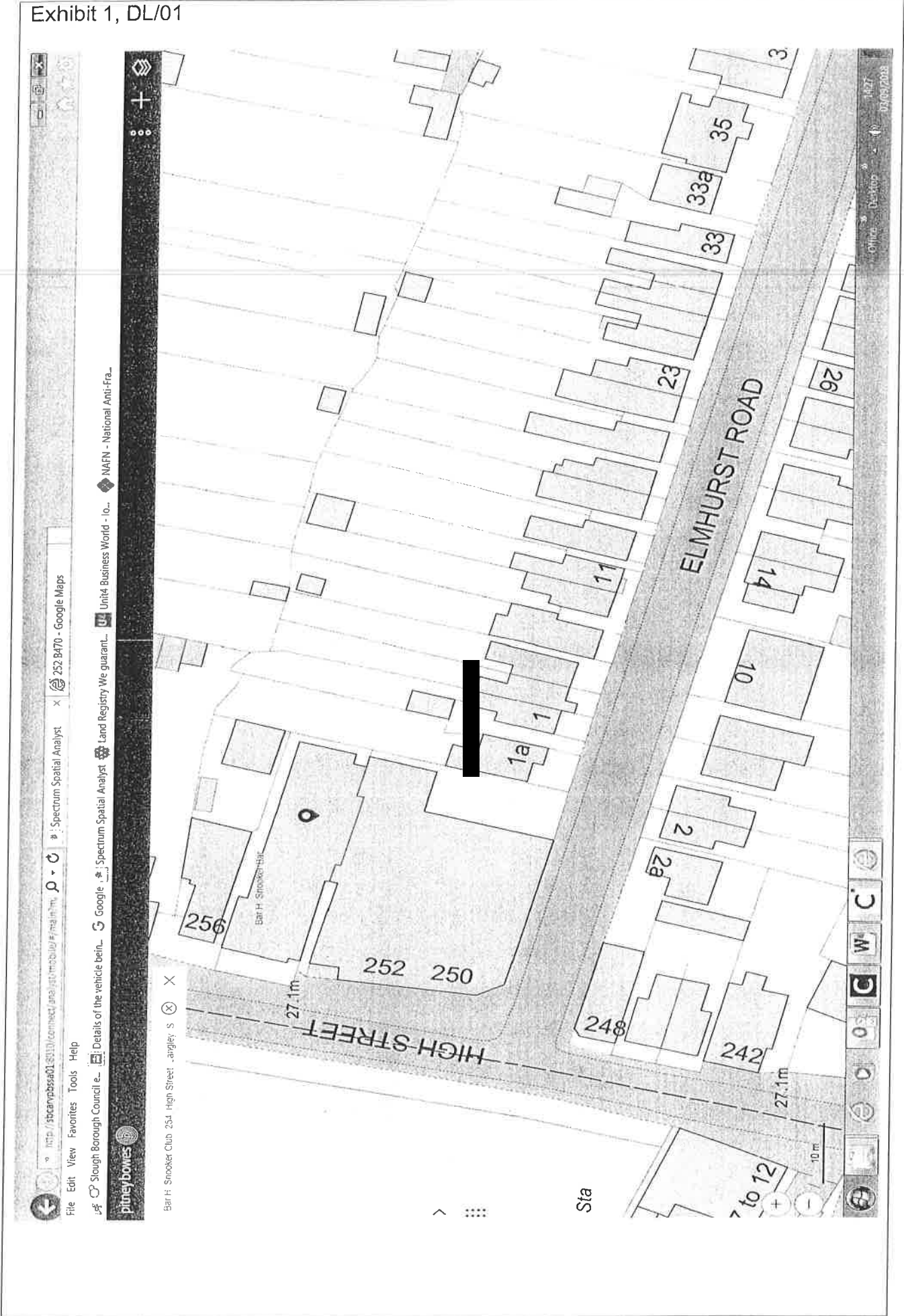


EXHIBIT 2

DL/02

cont: 00H

13

I see, when in a long hair, hearing
light door handle on bed drawers
20:32 - quiet, light on in house,
bed door opens in at the moment
Her po out again

20:34 - the woman is at state
I can hear spade scuffling and
knocking on a bench/plastic bin
(what it sounds like)
~~door~~ 3 scaps head.

20:37 - bed door open, light on
I see no person, just some conversation
and woman's voice, I lost that 30sec,
I can hear cough. 20:38 quiet.

20:42 left property bed home: 21:05
Milope 16:50

12/18 507



Call back: 23:24, music.
People in making noise, second car North



Cont

EXHIBIT 2 DL/03

at [redacted] 23:51 14
 Male - notes heard - conversation in
 the back part, music heard -
 echoing inside in back, bass tunes
 heard - 23:54 - cont. repetitive type of
 song but the boy out bass is heard
 booming (window open, I'm at the
 captain bedroom) Even with the
 window closed / sound on blaring
 music, can't recognize the tune / song
 but can hear the DJ and the
 bass, time - 00:03
 00:08 - type of music - sounds like
 a type of music, buildup, more
 frequent - 00:15: Building heard,
 music pop type can hear repetitive
 words being said, not what is being said,
 00:21 - frequent building, buildup of song
 heard it sounds like pop song again
 - 00:26: frequent building ^{clear} no music
 heard but echoing bass.
 00:30 - building and building in fact at
 the back of about 15 people but
 low conversation, low music and bass heard, lyrics

Cont.

EXHIBIT 2 DL/04

leavy 00:38 on
Phone at 00:55

Indigo 15
17:5

~~XXXXXXXX~~ JENOME 26/8/18

Choe [redacted] 20:30
call for update

Call back 20:45 - not work left
1.5 to get there, use road sign, both
cars & have to ded. - 21:45. (note request)

[redacted] note received 22/8/18
16:20 called 20:00 - left not work

in a parking startup, - called 21:43
Del 21:55 - resp the node, startup
startup, startup, def back.

XXXXXXXX 01:40 call 30/8/18
[redacted]

Called back 21:03 - unavailable - by later
or call text
SZ odencroft

APPENDIX I

1



Taking pride in our communities and town



STATEMENT OF WITNESS

*(Criminal Procedure Rules, Reg.27.2; Criminal Justice Act 1967, S.9;
and Magistrates' Courts Act 1980, S.5B)*

Statement of	Richard Mark Palacio
Age of Witness	Over 18
Occupation of Witness	Team Leader, Neighbourhood Enforcement
Address of Witness	Slough Borough Council, Neighbourhood Services, Landmark Place, High Street, Slough, SL1 1JL

This statement, consisting of 4 (four) 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 that I know to be false or do not believe to be true.

Signature  Date: 3rd September 2018

1. I am Richard Mark Palacio, I am employed by Slough Borough Council as Team leader of the South Neighbourhood Enforcement Team. I am an Environmental Health Officer and a Corporate member of the Chartered Institution Of Environmental Health. I have been a qualified Environmental Health Officer since 1988 and have worked in my current position since May 2010.
2. On the 31st of August 2018 whilst working on the out of hours noise service I received a telephone call from  at approximately 21:30hrs.  stated that the noise from Bar H, 254 High Street, Langley, SL3 8HA was causing disturbance to her. I was aware that Bar H had already been served with an abatement notice under Section 80 of the Environmental Protection 1990 on the 17th August 2018.

Statement of (Continued)

3. I arrived at [REDACTED] at 23:08hrs. It was a mild night and there was very little wind. I went to the first floor rear bedroom where the main window was open. I stood by the window and listened. I could hear voices from outside, predominantly male raised voices, shouting and screaming. I heard specifically the words "Why don't you come here" at 23:16hrs and later "Right I'm going". I could also hear at different times bursts of predominantly bass music.
4. At 23:32hrs I left [REDACTED] and walked along the pavement in front of Bar H. There were approximately 20 customers of Bar H in the external front area and many had spilt onto the pavement. They were all talking very loudly and it was very intimidating. The sound was identical to that which I had heard from the complainants house. Whenever the entrance door at the front of the premises opened it caused a blast of very loud music to come out onto the street. There appeared to be very few people inside and it was my opinion that it was uncomfortably loud in the premises and that had caused the large number of people to come outside to sit at the tables provided in the covered front external area. Also the noise level inside the bar was likely to have caused a temporary threshold shift in their hearing which resulted in the raised voices as they spoke to each other.
5. Whilst walking past the premises I observed a man leave the front area, run across the main road and appear to defecate in the gap in the hedge opposite and return to the bar.
6. I made observations between 23:42 and 00:11hrs from my car which I parked in front of Barclays Bank, approximately 30 meters from Bar H. I had my window partly open and from this position I could clearly hear the voices and blasts of music. At 23:48 I estimated that there were approximately 15 people outside the front of Bar H, predominantly men. At 23:49hrs more people came out and partly blocked the pavement. The noise of voices and shouting was likely to be disturbing residents of the flats above the adjacent shops. It was apparent that the slow door closing mechanism was causing approximately 13 second bursts of music every time people passed through the door, although I did observe some people trying to close the door quicker I presume due to the music effecting conversation outside.

Statement of (Continued)

7. I left at 00:11hrs. There were approximately 10 people outside and the noise of raised voices and music was continuing.
8. On the 1st of September 2018 I was again working on the out of hours service when at 21:40hrs I received another call from [REDACTED]
[REDACTED] She stated that the noise from Bar H, 254 High Street, Langley, SL3 8HA was again causing disturbance to her. In particular due to very loud music.
9. I arrived at approximately 23:30hrs and briefly parked in front of Bar H. I observed approximately 6 people in the external front seating area and on the pavement. They were shouting, whistling and there was very loud rap music coming out of the premises as the door was fixed open.
10. At 23:48hrs I entered the complainants premises at [REDACTED] Elmhurst Road. It was a warm night with little wind and the small top vent window was open in the first floor rear bedroom. I could clearly hear the voices of the people in front of Bar H and the music at a lower level, although the music became significantly louder at 23:50 hrs. It would have been sufficient to have disturbed me and prevent me from sleeping, particularly if it was a frequent occurrence.
11. At 00:15 I walked on the pavement in front of Bar H. Approximately 10 people were outside, some of whom were on the pavement. They were all talking very loudly. The front door had been left open and loud music was coming outside. I walked along the High Street for approximately 150 meters until I was standing outside the Dental Practice. From this distance the music and voices were still clearly audible and I was confident that it would be causing nuisance in [REDACTED] and the residential flats above Bar H and adjacent commercial premises.
12. As I walked back towards [REDACTED] the door was open to Bar H and I heard repeated 8 times the DJ shouting over the sound system what sounded like "[REDACTED] Nigel Casey", additionally at 00:35hrs a man shouted "My [REDACTED] knee is gone".
13. At 00:50hrs the DJ stopped, the door was open and people were leaving. At 01:18 one person was still standing outside talking loudly on his phone, but the metal shutter was down and the premises was closed and I left the vicinity.

Statement of (Continued)

14. It was my opinion following these visits that the noise I had witnessed emanating from Bar H, 254 High Street, Langley, SL3 8HA was breaching the requirements of the abatement notice dated 17th August 2018.

Dated the 3rd September 2018

Signed

A solid black rectangular box redacting the signature of the witness.

Premises Licence

LOCAL AUTHORITY



Slough Borough Council

Licensing Team
Landmark Place
High Street
Slough
Berkshire
SL1 1JL

tel: 01753 875664

web: www.slough.gov.uk

Part 1 - Premises Details

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

Bar H

254 High Street, Langley, Slough, Berkshire, SL3 8HA.

Telephone 01753 549811

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
A. Performance of a play (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
B. Exhibition of films (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am



Premises Licence

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
C. Indoor sporting event	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
D. Boxing or wrestling entertainment (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
E. Performance of live music (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
F. Playing of recorded music (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
G. Performance of dance (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holiday		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
I. Late night refreshment (Indoors)	Sunday to Thursday	11:00pm	Midnight
	Friday and Saturday	11:00pm	2:00am
	Non Standard Timings:	11:00pm	2:00am
	All Bank Holidays		
	Christmas Eve	11:00pm	2:00am
	New Years Eve	11:00pm	2:00am
J. Supply of alcohol for consumption ON and OFF the premises	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am



Premises Licence

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption ON and OFF the premises continued ...	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sunday to Thursday	10:00am	Midnight
Friday and Saturday	10:00am	2:00am
Non Standard Timings:	10:00am	2:00am
All Bank Holidays		
Christmas Eve	10:00am	2:00am
New Years Eve	10:00am	2:00am

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

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

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

Galaxy Corporation UK Ltd

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

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

Ajay JNAGAL

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. LBHIL2586

Issued by Hillingdon



Premises Licence

ANNEXES**ANNEX 1 - MANDATORY CONDITIONS****EXHIBITION OF FILM**

1. Where a Premises Licence or Club Premises Certificate authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where

- (a) The film classification body is not specified in the licence, or
- (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section “children” means any person under 18; and

“film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984 (c39) (authority to determine suitability of video works for classification).

DOOR SUPERVISION

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

- a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security industry Act 2001 (c12) (premises with premises licenses authorising plays or films); or

- b) in respect of premises in relation to:

- (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

- (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. for the purpose of this section:

- a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act. (see Section 3(2) of that Act) and
- b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

AUTHORISATION OF ALCOHOL

Premises Licence

ANNEXES continued ...

The supply or sale of alcohol is prohibited when:

- (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence
- (b) at a times when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence has been suspended

In addition every supply of alcohol must be made or authorised by a person who holds a Personal Licence.

Condition 1, with effect from 1st October 2014

- 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).

Condition 2, with effect from 1st October 2014

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Condition 3, with effect from 1st October 2014

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) 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.
- (3) The policy must require individuals who appear to the responsible person to be under 18years of age (or such



Premises Licence

ANNEXES continued ...

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.

Condition 4, with effect from 1st October 2014

The responsible person must ensure that -

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

With effect from 28th May 2014 the following mandatory condition applies:

- (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 purposes of the condition set out in paragraph 1- 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

'permitted price' is the price found by applying the formula where-

- P is the permitted price,
- D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- 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 of the sale or supply of the alcohol;

'relevant person' means, in relation to premises in respect of which there is in force a premises licence-

- the holder of the premises licence,
- the designated premises supervisor (if any) in respect of such a licence, or
- the personal licence holder who makes or authorises a supply of alcohol under such a licence;

'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 '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) 1. 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



Premises Licence

ANNEXES continued ...

change to the rate of duty or value added tax.

2. 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.

ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. A CCTV system will be installed and working to the satisfaction of Thames Valley Police and the Licensing Authority. The cameras must cover all areas of the premises where licensable activities take place and coverage must include all entrance and exit points of the premises.
2. CCTV recordings must be maintained for a period of 28 days.
3. If the CCTV equipment fails, the Police and the Licensing Authority will be informed as soon as reasonably practicable and immediate steps will be taken to put the equipment back into working order.
4. DPS and/or nominated person must be trained on how to work the CCTV system to the standard where they can download any potential evidence required by Thames Valley Police, Local Authority Licensing Officers or relevant Agencies. DPS and/or nominated person is responsible for supplying the necessary media (discs, data stick) containing any downloaded content.
5. A notice will be displayed at the entrance to the premises advising that CCTV is in operation.
6. SIA registered door staff to be employed following a suitable risk assessment by the Designated Premises Supervisor (DPS) and consideration of the issues and benefits that such additional staff may provide. In addition a Risk Assessment Register will be maintained at the venue by the DPS and be made available any such time as requested by Slough Borough Council or Thames Valley Police.
7. A drugs register will be maintained.
8. The police will be notified of all seizures of controlled drugs.
9. Alcohol and soft drinks will be served in plastic or toughened glasses.
10. Customers carrying open or sealed bottles or glasses will not be admitted to the premises at any time.
11. Customers will not be permitted to take open containers of alcohol or soft drinks from the premises.
12. Bottle bins for collection or empty bottles will not be accessible to members of the public.
13. We are a member of Pubwatch and a representative attends Pubwatch meetings and participates in all initiatives.
14. Installation of Swipe Card system and it is disabled at 10.30pm to prevent drunk people from entering the building.
15. Noise limiter to be installed and set at a level agreed by the SBC EHO noise officer.

ANNEX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

All the conditions agreed at the appeal hearing at Bracknell Magistrates Court on 18th January 2011 have been removed by way of a full variation of the premises licence in agreement with Slough Borough Council and Thames Valley Police on 11th August 2016.



Premises Licence Summary

LOCAL AUTHORITY



Slough Borough Council

Licensing Team
Landmark Place
High Street
Slough
Berkshire
SL1 1JL

tel: 01753 875664
web: www.slough.gov.uk

Premises Details

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

Bar H

254 High Street, Langley, Slough, Berkshire, SL3 8HA.

Telephone 01753 549811

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
A. Performance of a play (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
B. Exhibition of films (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am



Premises Licence Summary

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
C. Indoor sporting event	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
D. Boxing or wrestling entertainment (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
E. Performance of live music (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
F. Playing of recorded music (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
G. Performance of dance (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holiday		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am
I. Late night refreshment (Indoors)	Sunday to Thursday	11:00pm	Midnight
	Friday and Saturday	11:00pm	2:00am
	Non Standard Timings:	11:00pm	2:00am
	All Bank Holidays		
	Christmas Eve	11:00pm	2:00am
	New Years Eve	11:00pm	2:00am
J. Supply of alcohol for consumption ON and OFF the premises	Sunday to Thursday	10:00am	Midnight
	Friday and Saturday	10:00am	2:00am
	Non Standard Timings:	10:00am	2:00am
	All Bank Holidays		



Premises Licence Summary

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption ON and OFF the premises continued ...			
	Christmas Eve	10:00am	2:00am
	New Years Eve	10:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Sunday to Thursday	10:00am	Midnight
Friday and Saturday	10:00am	2:00am
Non Standard Timings:	10:00am	2:00am
All Bank Holidays		
Christmas Eve	10:00am	2:00am
New Years Eve	10:00am	2:00am

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

- J. Supply of alcohol for consumption ON and OFF the premises

NAME, (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Galaxy Corporation UK Ltd

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

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

Ajay JNAGAL

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

No restrict on access to children.





**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 PC 4395 KEVIN WAYNE DENMAN apply for the review of a premises licence under section 51 or – 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 club premises, or if none, ordnance survey map reference or description BAR H 254 HIGH STREET, LANGLEY, SLOUGH, BERKSHIRE.	
Post town SLOUGH	Post code (if known) SL38HA

Name of premises licence holder or club holding club premises certificate (if known) GALAXY CORPORATION UK LTD
--

Number of premises licence or club premises certificate (if known) PL004384

Part 2 – Applicant Details

I am

Please tick ✓ yes

- 1) an interested party [please complete (A) or (B) below]
 - (a) a person living in the vicinity of the premises
 - (b) a body representing persons living in the vicinity of the premises
 - (c) a person involved in business in the vicinity of the premises
 - (d) a body representing persons involved in business in the vicinity of he premises
- 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)

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname First names

Please tick ✓ yes

I am 18 years old or over

Current 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 (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address THAMES VALLEY POLICE, LICENSING TEAM,
--

SLOUGH POLICE STATION,
WINDSOR ROAD,
SLOUGH,
BERKSHIRE.
SL12HH

Telephone number (if any)

[REDACTED]

E-mail (optional)

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

Please tick ✓ one or more boxes Y

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

Please state the ground(s) for review (please read guidance note 1)

Bar H is a bar/night club which is located within a parade of shops in the High street Langley. The premise is located within a residential area to the east of the site and to the west of the premise across a main road is a public park and recreational field. The current licence allows the operators to sell alcohol for consumption on premise only, allows recorded and live music to be played, dancing and late night refreshment.

The premise operating times are as follows,

Sale of alcohol permitted between 10.00 A.M. and 01.00 A.M. Monday to Sunday.

Live music 10.00 A.M to midnight and recorded music may take place 10.00 A.M to 01.00 A.M. Monday to Sunday

Dancing 10.00 A.M to 01.00 A.M and Late night refreshment 11.00 P.M. to 01.00 A.M.

The designated premise supervisor for this premise is Kuljinder Kaur who became the DPS on the 29/12/09.

The premise licence holder is Galaxy Corporation UK Ltd, this company took over this premise on the 17/03/06. Mr Anil Jnagal is the son of the owner of the above company and he has represented the company at formal meeting with the police and stated that he managed the premise overall.

Concerns in relation to how the premise is run by the current operator first came to light to Thames valley police in 2008.

The licensing team at Slough had received information, that underage drinking, drunkenness and drug use had been taking place on the premise. Additionally Pc Pryce who was investigating an assault at the premise in March 2008, where a customer had received injuries to his face and subsequently lost two teeth, had his investigation hampered, by the fact that the CCTV system was not operating, which was a breach of the premise licence. As a result of these concerns the police licensing team convened a meeting with DPS (Steven Wales) and Mr

Jnagal which took place on the 22nd of September 2008. (Minutes attached). The then DPS admitted that the CCTV was not recording and he had failed to address this issue. The operators were made aware of the issues mentioned above and stated they would take steps to address these concerns.

Subsequently on the 9th May 2009 Special Constable Matthew Saxby had to deal with a very drunken male in Langley. At this time this male was with the DJ from Bar H and he stated that because of the man's drunken state in the club he was taking him home. The officer described this male as incredibly drunk, being unable to stand on his own.

In May 2009 local officers received complaints from the public and witnessed customers from Bar H drinking on the public pavement outside the venue, causing an obstruction to normal users of the pavement. This was in breach of their licence conditions in relation to off sales.

On the 14th of June 2009, the police received a complaint from a member of public of customers at Bar H smoking cannabis in the front seated area of the premise. The police attended the venue and searched a group of customers. The police found a wrap of cannabis discarded on the floor under the table. When the manager was informed he was very reluctant to bar the persons from the venue. It was the officer's opinion that the staff were aware of the drug taking and had turned a blind eye.

On the 19th of June 2009 officers from the police licensing team attended Bar H and carried out drug testing using the drug Itemiser machine. Analysis of this test revealed the presence of Cocaine in the male and female toilets which is consistent with Cocaine use in these areas.

On the 13th of June 2010⁰⁹ at 00.22 A.M, Mr Jnagal reported a male had smashed a window at the front of the premise. Police arrived and identified offender however, Mr Jnagal the manager would not support criminal proceedings against this offender.

On the 4th of July 2009 at 03.06 A.M. the police received a call from a member of public in relation to noise complaint stating that music was playing at Bar H. This is outside the operating hours of the premise licence.

The police had received further information in relation to drug use at Bar H and information that the venue was operating outside its permitted hours.

On the 5th of August 2010^{09.} as a result of the above concerns the police licensing team convened a meeting with DPS (Tracey Banks) and Mr Jnagal.
(Minutes attached)

During this meeting the police highlighted concerns in relation to Class A drug use, Obstruction of pavement outside by staff and customer parking and operating outside the permitted hours. The operators stated they would address the above issues and write to the police stating what actions they would take.

On the 26th of November 2009 a letter was written to the police stating that Bar H was poorly run, underage drinking was taking place on the premise and that drugs were being used and sold on the premise.

On the 25th of December 2009, the police received a complaint in relation to loud music and people shouting coming from Bar H at 00.52 A.M. from a local resident

On the 10th of January 2010 the operators of Bar H finally wrote to the police outlining what measures they would take to address the issues raised by the police in August 2009. The operators had only implemented some of the measures put forward by the police to address the drugs issues. Copy of letter attached.

On the 13th of February 2010 at 00.40 A.M PC 2892 King attended Bar H after police received reports of a fight at that location. On his arrival outside he saw a 22 year old female with blood on her face. This female stated she had been hit in the face by another female customer in Bar H with a glass. Pc King could see she had a lump and several cuts to her face around her right eye. He could also see glass fragments on her clothing.

Pc King states that he had no assistance off staff at the premise in relation to assisting the victim or providing information to trace the offender. Whilst at the scene Pc King saw another male at the venue with a head injury and the victim confirmed this male had been assaulted. Pc King states that the staff have previously been unhelpful at this premise in relation to assisting police and this has fallen well below the levels of cooperation for an operator to meet their premise license objectives in relation to prevention of crime and disorder. Due to the hostility of customer at this venue toward him and the victim PC King had to withdraw from the scene.

At 00.55 A.M. PC Hewitt Pc Leamon and WPC Canning attended this incident and entered the premise to locate the offender. They saw 25 to 30 people still in the bar drinking. When they asked bar staff where the manager was, no one knew. They then entered the snooker area and saw 6 people there drinking and in the garden area were 10 to 15 people drinking. The officers saw several discarded empty bottles and there was broken glass on the floor in this area. They moved back into the main bar where again they saw broken glass on the floor. WPC Canning searched the female toilets and found that the cubicles were locked. She asked a member of staff to speak to the occupants to identify them and confirm whether one of these could be the offender. The member of staff spoke to them and stated that they were OK. When these girls left one was in fact identified by the police as the offender.

A group of male customers then tried to get the offender out of the premise without police seeing her. However the police spotted her and arrested her for GBH. The group of customers then became aggressive to the officers and tried to prevent them taking the offender away. During their time dealing with this incident the officers identified that drugs had been used by customers at the venue and that a lot of the customers were drunk and aggressive. Again these officers formed the opinion that the staff were unhelpful and obstructive. The officers formed the opinion that the staff had no control over the customers at this bar.

PC 6214 Butler became the investigating officer for this offence. He confirms that the victim was hit by a half pint glass within Bar H and as a result the victim required hospital treatment to have 4 wounds in her face glued and a further wound glued and sterostripped closed. The injuries were very close to the victim's right eye.

The offender made no comment when questioned.

PC Butler confirms that his investigation was severely hampered by the fact that the management were unable to provide a copy of the premise CCTV. This was as a result of numerous requests. When police were able to get their Technical unit to the site to retrieve the CCTV themselves they discovered it had been over written after 17 days. This was a breach of the premise licence condition at the venue in that it had been agreed by police that footage would be retained for 28 days and all CCTV footage would be made readily available to the police on request.

PC Butler stated that his investigation was further hampered in the fact that all the staff at Bar H that night stated they did not see anything in relation to this offence.

This became even more concerning when the police have since discovered that another male was glassed during this incident but fearing reprisals did not report this to police. When questioned by police the DPS stated she was aware of this second incident but she informed PC Denman the licensing officer that she did not reveal this fact to the police.

Additionally during the course of this investigation PC Butler identified that a party was taking place at the venue on the night of this assault and that there were no SIA door supervisors working at the venue. This is in breach of the premise licence conditions.

On the 3rd of March 2010, PC 4395 Denman spoke to the DPS Kuljinder Kaur and informed her that the police were seeking a review of Bar H. Pc Denman asked her if she was aware that on the night of 13th of February 2010, that a male customer had been hit in the face with a glass. She stated she was aware of this but decided not to inform the police of this incident.

On the 13th of March 2010 at 3.30 A.M. police attended a report of a male being assaulted with a bottle in Langley High street. On arrival outside the Subway shop 20 metres from Bar H, the WPC Marchetto found a male with injuries to his face and another male with injuries to his shoulder. At this location there was a group of people who were intoxicated and shouting and swearing. WPC Marchetto through speaking to this group established that the males were injured during a fight which started in Bar H and spilled out onto the street. When the officer made enquires with the doorstaff at Bar H they stated they had not seen anything, which the officer found hard to believe. At this time the officer saw a heavily intoxicated male being detained by staff in the venue who was being abusive. Both injured parties were taken to hospital by ambulance. Both males subsequently would not support police actions against the offenders.

On the 30th of March 2010 Officers from Slough Borough council served a notice on the premise in relation to noise nuisance complaints.

On the 8th of April 2010 Jim Ferguson, police licensing officer attended Bar H. He spoke there to the DPS, who admitted allowing persons to be served in the premise, that were on pubwatch bans. This greatly undermines the steps that Slough publicans are taking to address violent offenders. Jim Ferguson then carried out a drug survey of the premise using the itemiser system. The results of this revealed that Cocaine had been used on the premise, with high readings in the toilets. Additionally there were high readings in the staff areas behind the bar indicating that cocaine had been present in this location.

Also attached are letters from 6 local residents highlighting the effect on the quality of their lives that the anti social behaviour generated by the operator and users of Bar h are having on them. This includes, noise disturbance, litter, foul language and violent behaviour.

Given the above the operators of this premise are clearly not meeting the licensing objective for the safe running of this premise. Members of the public have received serious injuries whilst attending this premise, there is evidence of class A drug use in the premise and in staff areas and the way this premise operates is causing significant disruption to the lives of local residents. The operator and staff have broken the licensing conditions on numerous occasion, breaches include,

1. A C.C.T.V. system has been installed and is working to the satisfaction of Thames Valley Police and the Licensing Authority
2. Recordings will be maintained for an appropriate period of time to be agreed with the Police and the Licensing Authority)
3. If the C.C.T.V. equipment fails, the Police and the Licensing Authority will be informed immediately by telephone and immediate steps will be taken to put the equipment back into working order
4. Alcohol and soft drinks will be served in plastic or toughened glasses

5. All bottles sold will be made of plastic (where available)
6. Where glass bottles are to be used the contents will be decanted into plastic or toughened glasses where it is not intended that the contents are to be consumed direct from the bottle
7. Customers carrying open or sealed bottles or glasses will not be admitted to the premises at any time
8. Customers will not be permitted to take open containers of alcoholic or soft drinks from the premises
9. All bottles and glasses are to be removed from public areas as soon as the contents have been drunk or are empty
10. We have an anti-drugs policy that has been agreed following discussion with the Police and the Licensing Authority and is in line with the Safer Clubbing Guidance
11. A drugs register will be maintained
12. The Police will be notified of all seizures of controlled drugs
13. We are a member of Pubwatch and a representative attends Pubwatch meetings and participates in all initiatives
14. If a disco/party is to be held two SIA approved doorman will be on site for the duration of the party.
15. Carried out licensable activity outside permitted hours

It is the police opinion that the operators of Bar H, who has been made aware of the major police concerns in the running of this premise, after the police have held two formal meeting chaired and facilitated by Slough Borough council's licensing team to correct these concerns have chosen to ignore the authorities. They have carried on trading in a manner that had put the public of Slough at risk some of whom have been injured and in a manner which has caused major disturbance to local residents.

Thames valley police therefore request that the premise licence be revoked.



Please provide as much information as possible to support the application (please read guidance note 2)

1. PREMISE LICENCE
2. STATEMENT WPC MARCHETTO
3. LICENSING REPORT 06/06/09 PC SLOANE
4. CRIME REPORT CE3360266/09
5. LICENSING REPORT 15/06/09
6. URN 1437 14/06/09
7. URN 61 25/12/09
8. URN 367 04/07/09
9. MINUTES OF MEETING 05/08/09
10. LETTER FROM DPS 10/01/10
11. NOISE COMPLAINT NOTICE 30/03/10
12. URN 50 13/02/10
13. STATEMENT SPC SAXBY
14. MINUTES OF MEETING 22/09/08
15. STATEMENT PC PRYCE
16. LETTER OF COMPLAINT TO JIM FERGUSON
17. STATEMENT WPC CANNING
18. STATEMENT PC HEWITT
19. STATEMENT PC KING
20. STATEMENT PC BUTLER
21. STAMENT JIM FERGUSON
22. STATEMENT PC DENMAN X 2
23. 6 X LETTER FROM LOCAL RESIDENTS

Please tick ✓ Yes

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

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 and when you made them

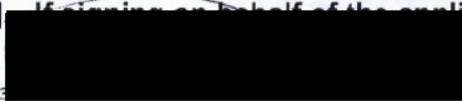
Please tick ✓ Yes

- 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. X
- I understand that if I do not comply with the above requirements my application will be rejected X

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 3)

Signature of applicant or applicant's solicitor or other duly authorised agent [please read guidance note 4] *If signing on behalf of the applicant please state in what capacity.*

Signature: 

Date: 19/04/10

Capacity: POLICE LICENSING OFFICER

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
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. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address we shall use to correspond with you about this application.

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COURT HEARING ATTENDANCE NOTE

Court Appearance: Re: Bar H v Slough Borough Council

APPENDIX L

Date of Hearing: Tuesday 18 January 2011

Venue: Bracknell Magistrates Court

Clerk: Richard Taylor

Defendant: Attended

Interpreter:

Representation: Goodhand & Forsyth Solicitors represented by Sarah Le Fevre

Result:

The appeal was allowed on the following amendments to the conditions on the premises licence

87. Live music and recorded music to cease at 23:30hrs

88. Sale of alcohol to cease at 00:00hrs

89. All other licensable activities to cease at 00:00hrs

90. Premises to close and all patrons to be out of the premises at 00:30hrs

91. No new admission or re-admission after 23:30hrs

92. In the event that the licensing objectives are not shown to have been negatively affected by the carrying on of licensable activities at Bar H, SBC and TVP will make no objection to any variation application made by the premises licensee to remove conditions 87-91 above

93. Noise limiter to be installed and set at a level agreed by the SBC EHO noise officer

94. Quarterly meetings to be held with TVP, the Licensing Authority. The premises licence holder and the named DPS to discuss any issues that may have occurred during the previous 3 months

Amendments to the C.C.T.V conditions 2 to read:

2. Recordings will be maintained for a period of 28 days

No order as to costs.

Defence issues:

Applications:

(by whom/reasons/result)

Action Needed:

Date of next Hearing: [Enter Date]

Venue: [Enter Court Name]

Name of Advocate: Ms Francisca Da Costa (Counsel)

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APPENDIX M

PROCEDURE FOR LICENSING SUB-COMMITTEE

1. The Chairman will open the meeting and introduce those present, including members of the Committee, and ensure that all parties are informed of the procedure to be followed.
2. The Committee will consider any request made by a party for permission for a person other than his representation as stated in his notice that he intends to attend or be represented at the hearing.
3. The Licensing Officer will introduce the report and outline the application.
4. The police, responsible authorities and interested parties if represented at the Committee may present relevant facts.
5. The Chairman will invite questions from the
 - Applicant or representative
 - Committee
6. The applicant or representative will present his case and call any other persons invited to appear to make representations.
7. The Chairman will invite questions from
 - The police, responsible authorities and interested parties
 - The Committee
8. The police, responsible authorities and interested parties will make any closing remarks to the Committee if they so wish.
9. The applicant or representative will make any closing remarks to the Committee if he so wishes.
10. The Committee may then decide the matter in private in which case all persons other than the legal adviser and Committee Clerk will then withdraw from the meeting.
11. The parties will be recalled and the Chairman will announce the Committee's decision and the reasons for reaching that decision.

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APPENDIX N

Responses from patrons of Bar H

My name is [REDACTED] and i currently live at [REDACTED]
I am writing to you in regards to the notice that has been served to Bar H. I feel that this isn't appropriate as for someone who lives a few doors away from Bar H i can honestly say that these accusations aren't something i would agree with i am can imagine others feel the same and i nor my family members have witnessed any crime nor do we experience any noise that would be concerning for us. I also live only half way down so would be able to hear everything.
I myself and a few family members have been in here and whilst in here i can say it is one of the most well mannered and professional looking pubs i have been to! All staff are friendly and even the people who go there. I do not understand why there would be such accusations.
I have also had the pleasure of meeting the people who work there and i can say they're extremely polite and have even asked me if there is anything they can do which may improve our relationship with them a while back which is satisfying knowing that they're taking in our needs as residents.
If you need to speak with me or have any questions i am happy to help.

Hi my name is [REDACTED] I'm writing this letter because I heard the bar I travel to from Southall is having licensing problems I go to the bar to play pool because of the good atmosphere I feel safer there so I pick this one to go and play Pool their because it's a bit out of the way there is a few places closer to me but you get too much riff-raff there I go there have a few drinks with friends and play some pool I go back on the train Help Me Clear My Mind midweek.

To whom it may concern,
I am writing with regards to the ongoing noise pollution complaint and subsequent crime and disorderliness being alleged against Bar H and it's representatives. I have been a regular patron at this venue over the last 2 years. They are a great addition to the community and my observation suggests that they are a well run business. I have witnessed several casual nights take place at this venue and I can attest to the fact that the employees always take numerous cautions to ensure the peace and quiet of their neighbours is being preserved and respected.
Upon being informed of the alleged complaint against the establishment, I was utterly disappointed. This venue stands as an intricate part of the community and most customers are well known to each other. Therefore, the allegation of crime being perpetrated within its vicinity is certainly a false claim. Something I have never witnessed myself. On several occasions, I have witnessed the staff moving on customers at the end of the night, ensuring availability of cabs, controlling the noise level in the smoking area and most importantly organising a sound check prior to every event.
I do hope you reach an amicable solution with the venue so that they can continue serving the community and being a beacon of unity in Slough and surrounding areas. Do not hesitate to contact me for more information or clarifications.

I am writing to offer a representation for the premises currently under Review of a Premises Licence known as:

BAR H, 254 High Street, Langley, Slough, SL3 8HA.

I have been a regular patron of Bar H since 2012 and view this as a well revered establishment in the Langley area. There are good facilities offering varied options for social interaction and entertainment held on the premises and friendly, personable staff which represent Bar H in a good light at all times. In the time I have been coming to Bar H I have never had an issue with any other patrons, staff or neighbours in the area surrounding the premises.

This is an email of representation of Bar H, premises situated at 254 high street, langley, SL3 8HA.

I am the owner of Drinks Direct situated next door to Bar H. I have owned this business since 2013. I do not have any complaints regarding Bar H and feel that the grounds for the application for their license review is unfair. I do not witness crime and disorder taking place inside or outside, on occasion I can hear very faint music but nothing to cause myself or my business nuisance. I have noticed they have security on weekends regularly even when they are quiet which I think is a brilliant preventative for anything to happen. I also have tenants living upstairs and have spoken to them regarding the bar as they would be the first inflicted if there was any noise nuisance late at night after I close my business. They have said that they are not disturbed and haven't ever been caused distress by the customers or staff of Bar H. They have currently occupied upstairs for last 3/4 years, I take this matter seriously and spoke to them as I do not want to lose my tenants because of surrounding area issues.

The customers that attend Bar H, also come into my business to purchase products from me.

I hope this email will help towards a better representation of Bar H.

My name is [REDACTED] I visit Bar H as I have friends in the local vicinity. We all go to the H Bar occasionally to watch football and often on weekends when they have music playing. On mine and my friends behalf I can comment that we don't see a "nuisance" crowd that attends H bar, like all pubs and bars, the odd occasion of someone being drunk has happened but I have witnessed the management deal with it in a professional manner. I have been during weekdays and weekends, and have never felt unsafe whilst I have been there.

My name is [REDACTED] I am a local resident of Langley, homeowner of [REDACTED]

I am writing to support Bar H in Langley in relation to the recent complains of Crime and Disorder and noise nuisance.

I have been visiting Bar H for many years now, though I'm not there on a daily basis, I can confidently say that I have never witnessed crime or disorder in the bar.

I can describe Bar H as a nice friendly and positive place which serves alcohol and offers leisure activities for all ages.

The bar provides many activities from pool, snooker and darts to individuals of all ages.

The bar is also place which attracts professionals, businessmen/woman and tradesman, who have a quiet drink and network with one another throughout the day. The bar also offer occasional chart music nights on a Friday which attract a range of different ages from young people in their 20's to families and older clientele who are in their 50's and 60's.

The noise level in my opinion are not peaking as customers can converse with with one another in the bar when music is being played.

I am very impressed with efforts the staff and management make to create a safe and enjoyable environment for all it's customers.

I would like add that Bar H does a great deal for our local community including: charity work, putting on charity events, fundraising for worthy causes, and sponsoring the local youth football team - Langley Lions.

It would be very sad if the work the bar is doing to help and serve our local community was to stop.

Many thanks for taking the time to read my supporting statement.

I am writing in regards to the application for review of the premises licence for bar h 254 langley high street. I am the owner of east meets west next door at 258 Langley High Street. I have never had or seen any issues next door which would cause concern to myself or the local neighbours. The venue is visited by many of my customers who go there regularly with there families and friends to have a drink or play a game of snooker.

The venue is a lovely place which has a nice calm atmosphere and is thoroughly enjoyed by many of the local residents who visit the venue on a daily basis to meet up with there friends and socialise. Bar h always helps my restaurant out in emergencies when we may need some change for the till or even some

Blue rolls to till rolls. Very helpful team never had any issues with them and always doing there best for the local community, holding fundraisers to kids parties in the daytime. It would be a big impact if bar h was to loose it's licence to my business and the local residents. I have not witnessed any crime taking place at the venue or even outside the venue, also no issue with any noise concerns, me being a neighbour next door have never felt the music is too Loud or the people Outside are too loud making a noise.

I'm a local resident and I live literally across the road from Bar H at [REDACTED] [REDACTED] I have noticed the notice on the windows on their front doors. My husband and I occasionally visit bar H with our daughter as it is the closest social place to our home. In our view, the bar isn't an anti social place and we thinks it's unfair that their license should be under review for crime and disorder and noise nuisance. We feel that the bar is a safe place or we would not take our daughter there, furthermore we would not go there. As for noise nuisance, as we live so close, we do not feel disturbed at home when they have their events on or even when they have a DJ.

I am writing to you on behalf of Bar H.

Bar H has shown FC Langley Lions nothing but kindness and generosity.

Being our main sponsor which generously saw Bar H give us £2,500 which was used to buy a football kit and pay our pitch fees, With out this the club would not of been able to start up and would not be writing you this email.

As a club we have held family fundraisers where our players brung there partners, children parents and grandparents. Not only allowing us to use the venue to host the event they put a barbecue on and supplied a love spread of food.

After our games on a Sunday the team and the supports head back to the bar for food which again is supplied by Bar H which had been a family friendly to all of FC Langley lions.

This is a written representation in regards to Bar H on Langley high street. I have been going to this bar for 15 years. I live local as I only live just behind at [REDACTED] [REDACTED] I go there to play pool, snooker, have a drink, socialise etc as it is only walking distance from my home. In regards to the review of their license due to the continual noise nuisance and crime and disorder taking place at the premises, I cannot agree with this as for many years I have been coming and not seen this, and furthermore it is not what i portray as an image I have for the bar. I do not see the bar being the cause of any crime and disorder taking place in our local community, I attend occasionally on weekdays but more on weekends. I cannot perceive the establishment as being a nuisance or the influence of crime and disorder.

My name is [REDACTED] I am a local resident of Langley [REDACTED] and I am an IT consulting business owner. I writing this to support Bar H in Langley in relation to recent complains of Crime and Disorder about the noise nuisance. I visit Bar H almost every other day to play a few pool games and to network with other business people who visit the place. Its been one of the best venue to meet and greet good business contacts. I can confirm that this place is been run in a very professional manner and I have never seen any misconduct, crime or any disorder so far in the bar. This is a very nice place offering various leisure activities including pool, snooker and dart games. It is a very friendly environment with a nice mix of the crowd at all age group (20- 60) including families coming in to celebrate birthday parties. The bar also conducts DJ nights on Fridays, however, the music is kept to a level where still we can converse with each other in the bar. Its never been loud. I am very impressed with the management effort to keep things in control and keep the environment very safe for their customers and also act with utmost care to their surrounding residents. It would of great loss for the community if this place has to go, loosing all the great service this bar is providing to the local residents like us. Thanks for reading this supporting statement.

We have been dealing with bar h Langley for over 7 years now. Having been in the industry for over 25 years it has become increasingly difficult for bars, pubs and clubs in todays climate to make things work. Our customer base has decreased by over 50% in the last 3 years. The smoking ban, alcohol in supermarkets being sold cheap are all contributors.

We notice bar h always trying to make things work, with new ideas and really making a go in a difficult industry.

We see this review happening a lot with bars, pubs, clubs where housing developments take over and all of a sudden the homeowners don't want a bar/pub near them. Obviously there's a drinks licence and there will be occasional noise, This is to be expected when you are in a property in this vicinity.

We however have worked with bar h. increasing security on their door entry system, sound system changes including noise limitation on audio devices. We see they try.

I kindly ask that you look upon them and reason, to come to some agreements as this also effects our future business with bar h and jobs within this industry.

We will work closely with bar h to help in any way we can.

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Witness Statement

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

SERVICE REQ:

Statement of: **Greg Edmond**

Age if under 18 (if over insert "over 18"): **Over 18**

Occupation: **Housing and Enforcement Officer**

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: 29/10/18

Tick if witness evidence is visually recorded:

(Supply witness details on last page)

I am Greg Edmond and I have worked for Slough Borough Council since January 2018, I am currently employed as a Housing and Enforcement Officer working in the Resilience and Enforcement Team.

On Saturday, 27th October 2018 I was the out of hours on call officer for the council and received a phone call from the CCTV control room at 23:52 informing me that a breach of abatement notice had been reported by a local resident complaining of loud music coming from Bar H, High Street, Langley. I took the complainants contact number and attempted to call him back but received no answer. From my previous knowledge I was aware that Housing and Enforcement Officer David Stride is dealing with this property and an abatement notice under Section 80 Environmental Protection Act 1990 is in place prohibiting noise from disturbing residents. The notice included the prohibition of noise created by customers, visitors or occupiers to the property after 23:00 and noise created by amplified music or the DJ.

I attended Bar H, High Street, Langley and arrived at 00:15, I parked in Elmhurst Road alongside Subway and exited my vehicle. I could hear the sound of bass coming from the direction of the Bar H club. I walked around the corner onto High Street, Langley where I could see Bar H approximately 30 meters up the road, the sound of the music was audible from the corner of High Street and Elmhurst Road. I could see people walking around on the pavement outside and as I approached I could see people congregated in the enclosed area to the front of the property. As I walked past the property I could hear loud music coming from the venue and a DJ was speaking over the microphone. People were outside and speaking in raised voices due to the volume of the music. I could not hear what the DJ was saying clearly as the bass from the music muffled the sound of his voice to me, the music did not have any lyrics but I could clearly hear the tune that was being played. I would describe the music being played as being a kind of drum and bass track. I stood and waited outside Drinks Direct next door for a short period and watched people going in and out of the club, door staff were present and controlling entry through the door. I took a photo of the front of the club using my personal mobile phone which I have exhibited as GME/1.

I walked up the road towards Barclays Bank and crossed over to the other side of the high street, I was still able to hear the music being played from the club. I then turned and walked

Signature: 

Signature Witnessed by: _____

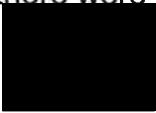
Witness Statement

Continuation of Statement of **Greg Edmond**

back towards the club and from the opposite side of the road took another photo using my personal phone of the club and the visitors outside, I have exhibited this photo as GME/2.

At this time I walked back towards Barclays Bank and crossed back over towards Bar H. I then headed back towards my car and as I walked passed the club for a final time the music was still at the same volume and the tune was still clearly audible. As I walked passed the entrance to Bar H I noticed a asian male in a cream jumper wearing blue jeans taking note of me, as I passed he turned to someone who I believe was one of the door supervisors and said in a raised voice "I KEEP TELLING HIM TO TURN IT DOWN." I found this statement strange and wondered if it was made for my benefit as I had been walking around the front of the property for approximately ten minutes and that he may have had an idea who I was. The statement also lead me to believe that he was someone in authority at the club and made me wonder that if he knew the volume of the music was too loud why he had not addressed the issue himself sooner.

I then proceeded to walk back to my vehicle on Elmhurst Road and left the road at 00:25. Throughout my visit to the area the noise level from the club was constant and when observing the club there were no obstructions to my view. I am willing to attend court as a witness if required.



Signature: _____ Signature Witnessed by: _____

Witness Details

Home Address: C/O Slough Borough Council Post Code: SL38XP
Home Tel No: _____ Work Tel No: _____ Mobile Tel No: _____
Email Address: _____ Preferred means of contact: _____
Best time of contact: _____
Sex: Male/ Female Date & Place of Birth: _____ Former Name: _____

Does the Witness have any inconvenient dates for court?

If "Yes" provide details

Witness Care (please tick or type in box provided)

Yes No

- a) Is the witness willing to attend court?
- b) What support measures could be put in place to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
- d) Does the witness have any particular needs?

N/A

If Yes, what are they? (Disability, healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

N/A

Witness Consent - For Witness Completion (please tick)

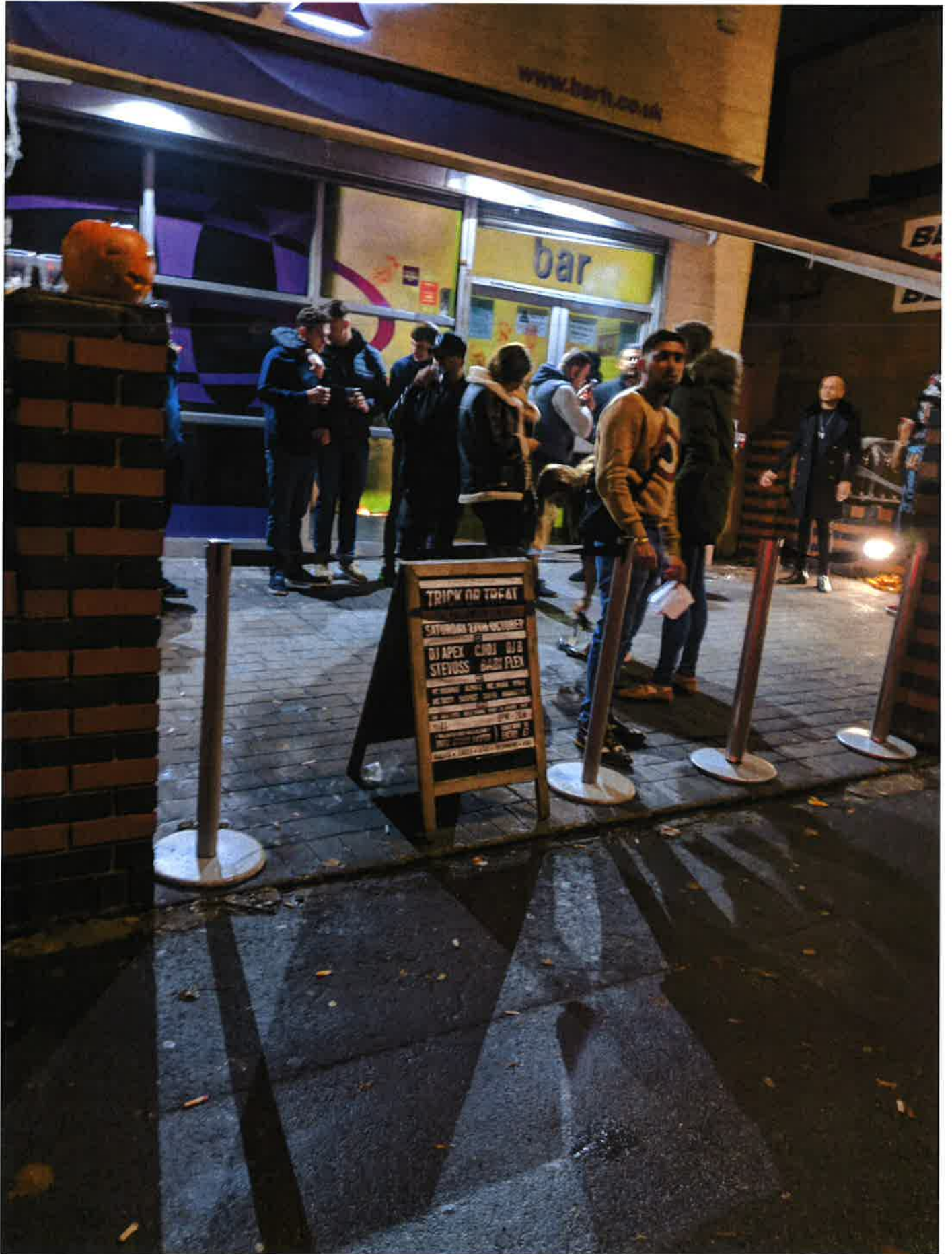
Yes No N/A

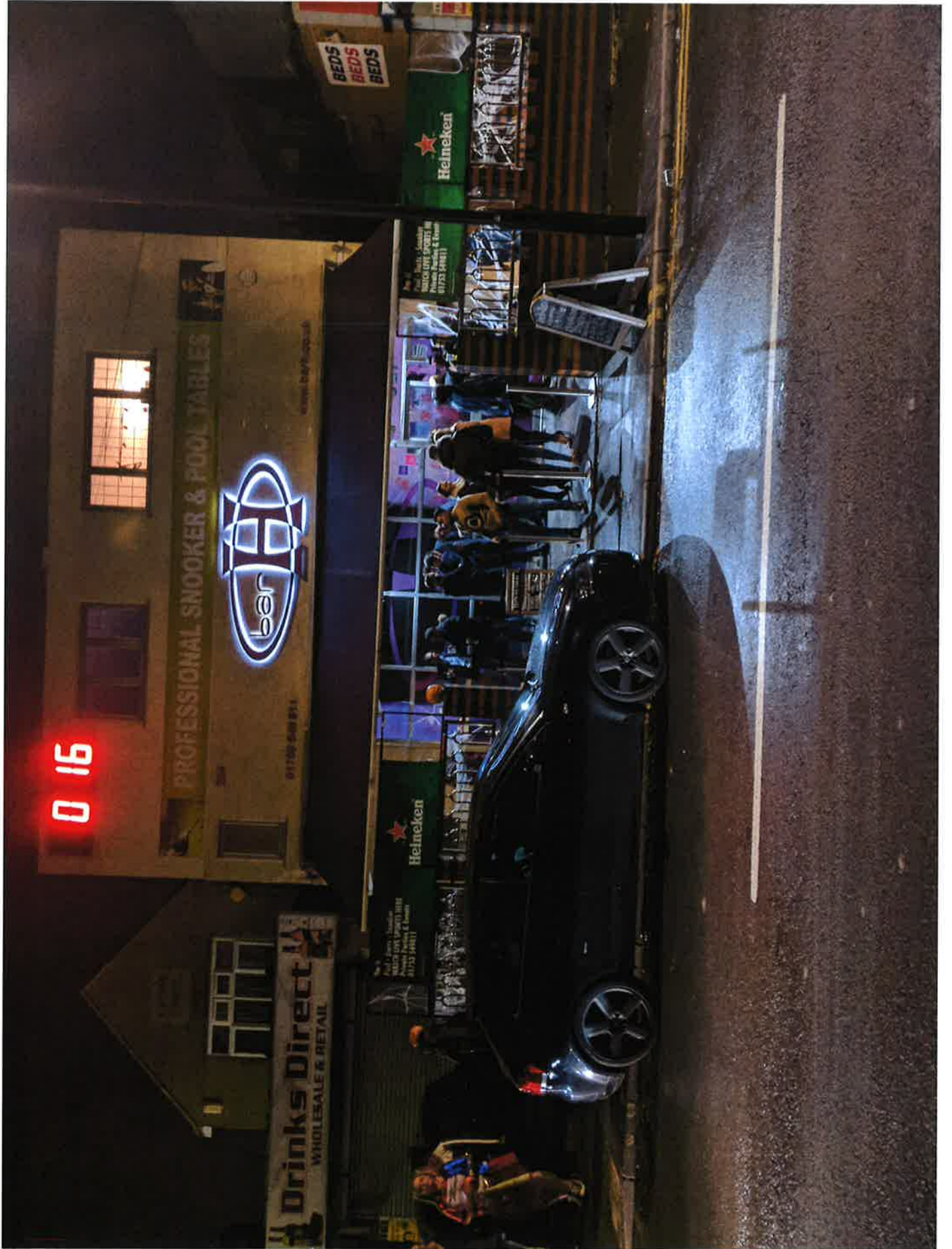
- a) I consent to the statement being disclosed for the purposes of civil proceedings if applicable:

Witness Signature: _____ Print Name: Greg Edmond
Parent/Guardian/appropriate adult Signature: _____ Print Name: _____

Address and telephone number if different from above:

Statement Taken By (print name): Self
Time and Place Statement Taken: 10:30 - Slough Borough Council. Hawker House, Heron Drive, Langley, SL3 8XP





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