



Mr S Tseguy



Hammersmith and Fulham Police
Licensing
Hammersmith Police Station
226 Shepherds Bush Road
Hammersmith
London
W6 7NX

Email: AWMailbox-
LicensingFH@met.pnn.police.uk
www.met.police.uk

Tuesday 26th November 2024

Dear Mr Tseguy,

**NOTICE of Application to review Premises Licence - 2021/00198/LAPR – 97-98
Sports Café, 39 Goldhawk Road, Shepherds Bush, W12 8QQ**

Please find enclosed application and supporting documents to review the above listed premises licence to which you are listed as the Premises Licence Holder and Designated Premises Supervisor. An application has been submitted under section 51 of the Licensing Act 2003.

A copy of the documents have also been sent to the Licensing Department at Hammersmith and Fulham Council, who will be in contact with you in due course.

Yours Sincerely

PC Nicole SONDH 2438W

Hammersmith and Fulham Police Licensing



**METROPOLITAN
POLICE**

TOTAL POLICING

**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 Nicole SONDH 2438AW**

apply for the review of a premises licence under Section 51 of the Licensing Act 2003
for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

97-98 Sports Café, 39 Goldhawk road

Post town:	Shepherds Bush	Post code: (if known)	W12 8QP
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Name of premises licence holder or club holding club premises certificate (if known):

Mr Samuel TSEGUY

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

2021/00198/LAPR

Part 2 – Applicant details

I am:

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)	<input type="checkbox"/>
2	a responsible authority (please complete (C) below)	<input checked="" type="checkbox"/>
3	a member of the club to which this application relates (please complete section (A) below)	<input type="checkbox"/>

PROTECTIVE MARKING

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:		First Names:							
I am 18 years old or over				<input type="checkbox"/>					
Current postal address if different from premises address:									
Post town:				Post code:					
Daytime Tel. No.:				Email: (optional)					

(B) DETAILS OF OTHER APPLICANT (fill in as applicable)

Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in as applicable)

Name and Address:	
Metropolitan Police Service, Hammersmith Police Station, 226 Shepherds Bush Road, Hammersmith, W6 7NX	
Telephone Number (if any):	
Email address: (optional)	AWMailbox-LicensingFH@met.police.uk

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 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 Metropolitan Police are seeking a review of the listed premises licence for failure to promote the licensing objectives in the Prevention of Crime and Disorder.

On two occasions in the last 12 months persons inside the premises have been openly found in possession of KHAT, this is a class C controlled drug where its possession is illegal under the Misuse of Drugs Act 1971.

The first incident occurred on 22nd March 2024. Police Licensing engaged with Mr Samuel TSEGUY who is both the Premises licence holder and Designated Premises supervisor. Words of advice were provided to him with regards to the possessions of such substances and it was made clear that incident such as this were not to happen again. Mr TSEGUY appeared to take this on board and a copy of the emailing confirming his understanding has been submitted.

The second incident occurred on 5th November 2024 whereby under similar circumstances several males were found by police officers to be openly in possession of KHAT whilst in attendance at 97-98 Sports Cafe. 9 males in total were issued a community resolution for the possession of the illegal drug including the males that Mr TSEGUY had left in charge of his premises.

On Both occasions Mr TSEGUY had not be present at the time of the incidents, this causes concern with regards to his ability to manage the premises by promoting the objectives and questions his judgement on who he then delegates his authority.

PROTECTIVE MARKING

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

Please refer to statement attached for further detail on the incidents.

Also attached is a statement from PC Rasa DENOVIAGIENE supporting the closure order that has recently been applied for. The statement details the issues that the local neighbourhood team have been experiencing in relation to the premises and the incidents relating to the drug offences.

PROTECTIVE MARKING

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

(Please tick yes)

Day

Month

Year

If yes, please state the date of that application:

If you have made representations before relating to this premises please state what they were and when you made them:

PROTECTIVE MARKING

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 (see guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature: *[Handwritten Signature]* Date: *22/11/2024*

Capacity: *Applicant - Metropolitan Police*

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

Post town: _____ Post code: _____

Telephone Number (if any): _____

If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional): _____

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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Statement of: PC Nicole SONDH 2438AW

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: *Nicole SONDH*

Date: 22/11/24

I am the above named person and currently work for the Metropolitan Police Service as a Police Constable as part of the Police Licensing Team covering the borough of Hammersmith and Fulham. My role includes consulting on premises licence applications including application for new premises licences, temporary event notices, minor and full variations and any other applications that are linked to a premises licence. We will also monitor any crimes reported to have occurred within or as a result of licensable activity provided by a premises to identify any failings that may require further action from the premises or from police as a responsible authority. Our role is to work closely and effectively with the premises and partnership agencies to ensure that the licensing objectives are promoted particular in the Prevention of Crime and Disorder and in the Protection of Children from Harm:

The statement relates to licensed premises named 97-98 Sports Café, 39 Goldhawk Road, Shepherds Bush , W12 8QP. The premises is located on the busy high street of Goldhawk Road on the immediate junction with Woodgar Road, W12 a residential street. The entrance to the Sports Café is actually located on Woodgar Road on the right hand side as you turn into the road.

The premise is licensed to provide the following licensable activity;

- Sale of Alcohol On and Off the Premises
- Monday 14:00 - 22:30
- Tuesday 14:00 - 22:30
- Wednesday 14:00 - 22:30
- Thursday 14:00 - 22:30
- Friday 14:00 - 23:00
- Saturday 14:00 - 23:00
- Sunday 14:00 - 22:00

Mr Samuel TSEGUY is listed as both the Premises Licence holder and the Designated Premises Supervisor.

Witness Signature: *Nicole SONDH*

Signature Witnessed by Signature:.....

Continuation of Statement of:

The premises has come to Police Licensing notice on several occasions within the last year, two incidents of note and of the greatest concern relate to drug offences occurring inside the premises.

The first incident occurred on 22nd March 2024 when police officers from the safer neighbourhood team attended the premises and discovered several males grinding a green substance. Mr TSEGUY was not present and it appeared that no-one was in charge of the premises at the time. Following an investigation conducted by officers at the scene and upon the arrival of Mr TSEGUY it transpired that the green substance was KHAT. KHAT is a class c controlled drug where its possession is illegal under section 5 of the Misuse of Drugs Act 1971. It was apparent to officers on scene that the persons who were in possession of the KHAT including Mr TSEGUY were unaware that the possession of this drug was illegal therefore words of advice were provided and the drugs confiscated.

Police Licensing visited Mr TSEGUY at his premises following this incident on 27th March 2024, during our visit we discussed our expectations as a responsible authority and Mr TSEGUY's responsibility in promoting the Licensing Objectives. We discussed the importance of him being present at the premises when open for licensable activity and that if he needed to leave then his authority must be delegated to someone who has received the correct training and has a competent understanding of the premises licence and the licensing objectives. It is important to note at this point that, this was the second time that Police Licensing had, had to reiterate this point to Mr TSEGUY, as on the day immediately prior to the incident on 22nd March 2024 Police Licensing had spoken to Mr TSEGUY about his responsibilities as a licence holder and then importance of having someone responsible and competent in his place should he need to leave the premises.

We also discussed the drugs that had been recovered by police on 22nd March and reiterated to Mr TSEGUY that KHAT is an illegal substance and its possession is illegal. Persons should not be permitted to be in control/possession of such substances in his licensed premises. Mr TSEGUY appeared to understand what we had discussed and took this on board. On 8th April 2024 an email was sent to Mr TSEGUY summarising our meeting with him and the points discussed, he was asked to reply to the email to confirm that he understood what had been written, to which he replied 'yes, i understand'. A copy of this email trail is attached and exhibited as NKS/01.

On 5th November 2024 Police Licensing were then made aware of a further incident whereby Safer Neighbourhood Police Officers have issued nine (9) community resolutions to individuals inside 97-98 Sports Café for possession of the class C controlled drug, KHAT. Mr TSEGUY was not present and the person who had been left in charge of the premises in his absence was one of the males that had received a community resolution. This incident shows not only a complete disregard for the law with respect to both the Misuse of Drugs Act 1971 and The Licensing Act 2003 but also a lack of control and responsibility in the management of the premises.

The possession of KHAT is an offence and therefore a crime to which the premises appear to be facilitating, Mr TSEGUY does not appear to have any control of the running of the premises and is unable to promote the licensing objectives effectively by continually allowing the possessions of drugs on his premises. The crimes recorded also represent a breach of condition 21 in the premises licence which states the following;

Witness Signature: *[Handwritten Signature]*

Signature Witnessed by Signature:

Continuation of Statement of:

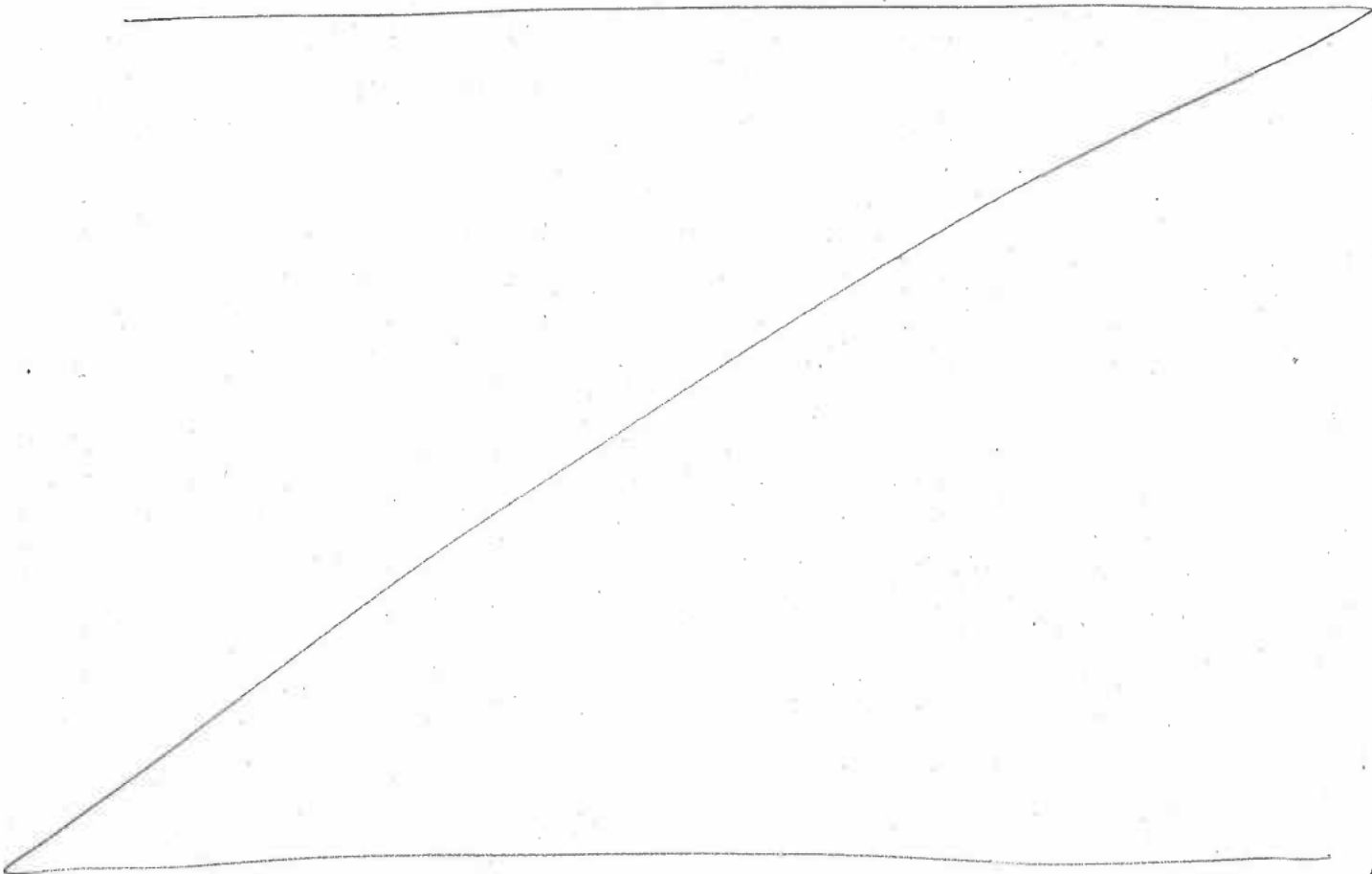
21. *The Premises shall operate a zero-tolerance policy to drug use or offensive weapons and posters shall be prominently displayed to this effect.*

The premises is now subject to a closure order enforced by the local neighbourhood team following the incident on 5th November 2024. The premises will now remain closed and will not be open to the public until 21st February 2025.

The police have no faith in the ability of the Licence holder to promote the objectives or to delegate this authority to another in his absence. The possession of KHAT is illegal and therefore crime has been committed within the licenced premises on two occasions. As per paragraph 11.28 in the 182 guidance;

'It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime and prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered'

The Metropolitan Police is seeking revocation of the premises licence.



Witness Signature: *[Handwritten Signature]*

Signature Witnessed by Signature:

Sondh Nicole K - AW-CU

From: Sports Cafe [REDACTED]
Sent: 08 April 2024 18:29
To: Cardwell Kris J - AW-CU
Cc: Sondh Nicole K - AW-CU; Overton Adrian: H&F; Perez-Trillo Cristina: H&F; Sophia.Barrett@lbhf.gov.uk
Subject: Re: Police Concerns with Sports Cafe.

Thanks for reaching out yes I understand.

Sent from Yahoo Mail for iPhone

On Monday, April 8, 2024, 6:01 pm, Kristen.Cardwell@met.police.uk wrote:

Good Evening Samuel,

Many thanks for meeting with myself and Nicole on the 27th of March and apologies about the delay in my follow up email to yourself.

As we discussed at length, the real concern from a licensing perspective is that when Police have recently attended and you have not been present, no person has identified themselves as being in charge of the premises even when asked several times by Police Officers.

If you are not at the premises during hours of licensable activity (the sale of alcohol) then someone MUST be left in charge and make themselves known to the Police or an Officer from the Local Authority if they attend. This person must be trained in the responsible sale of alcohol and know all of the licensing conditions including how to operate the CCTV system as per the premises licence. If a person is not left in charge then a number of conditions will be being breached on your premises licence.

Please remember that it is your licence and any further incidents where no one is in charge of the premises when it is open for licensable activity may well jeopardise the premises licence.

I suggest that if you leave the premises as detailed above then the person you leave in charge signs a register taking ownership of the premises.

Also, during the visit to the Sports Café by the Police Safer Neighbourhood Team on Friday the 22nd of March, a quantity of Khat was found on the premises. Customers who had the Khat in their possession and indeed yourself admitted that the substance was khat and therefore it is believed by the Police that you were not aware that Khat is now an illegal category C drug in the UK.

It is a criminal offence to possess or supply Khat so please ensure that no Khat is on the premises as again this will jeopardise your premises licence.

I am aware that you are having issues with some residents and we discussed the possibility of the Safer Neighbourhood Sergeant meeting with yourself to discuss any concerns you may have. Their details are PS Johnny FLINT and can be contacted on Jonathan.Flint@met.police.uk

Please can you reply to this email confirming that you understand the content?

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

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Statement of: Constable Rasa Denovagiene

Age if under 18: Over 18

Occupation: Police officer

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

Signature:

Date: 15 November 2024

This statement is in relation to the ongoing anti-social behaviour and crime that is related to the address of SPORTS CAFÉ, 39A Goldhawk Road, W12 8QP. This statement is part of an application for a Full Closure Order at the address under Anti-Social Behaviour Crime and Policing Act 2014.

PC LOCKING 1186AW and I, PC DENOVIAGIENE 3962AW are ward officers for ADDISON WARD, based at HAMMMERSMITH POLICE STATION. I first became aware of antisocial behaviour linked to SPORTS CAFÉ back when I have joined Safer Neighbourhood team in April 2023. My attention was brought to the premises again in August 2023 when local residents got in touch with councillor as well as licensing team to report various incidents involving customers of SPORTS CAFE, especially highlighting threatening behaviour and harassment towards several women residents in the building next door to sports café. Frequent disturbances were reported from loud and rowdy groups of people outside the café, who park their vehicles outside Apex Court with the engines running, creating noise and air pollution. They also show disrespect and intimidation towards the residents.

PC LOCKING and I have then conducted a joint visit with council licensing team on 29th of SEPTEMBER 2023 and found that the premises were open past their licensing time with number of people who were clearly intoxicated. I was aware that the license condition of SPORTS CAFÉ was only to serve drink with food and not to show any sports or stay open past licensing times.

Following the reports of antisocial behaviour and the licensing visit, we have decided to visit the café number of times after to make sure antisocial behaviour does not accure again. During number of the visits, when questioned, none of the males in the building would account to being manager of the premises and the owner would normally be away from the premises.

During one of the visits in November 2023, a group of males were found in one of the rooms with the doors shuts. In their presence, class C drug KHAT was found. The owner was informed of this development and advised that he has responsibility to insure no illegal activity takes place at his premises and none of the behaviours causes stress to local residents such as antisocial behaviour already mentioned.

During routine ward patrol myself, PC DOGRA and PC WALDEN visited sports café on 5th of NOVEMBER 2024. Upon arrival, officers went to the basement where the bar of the café is based. The doors to the room where class C drugs were found during last visit were closed so I opened the doors to find 9 males sitting in the small room, with multiple bags of class C drug KHAT. When questioned, males have admitted it was KHAT but

Signature:

Signature Witnessed by:

Continuation of Statement of: Constable Rasa Denovagiene

no one took ownership of the drugs. Males were told that drugs will be attributed to all of them if they do not admit who has purchase dthe drugs.

As all the males were not coroperating with the police, officers tried to get hold of the owner who was not at the venue. One of the males confirmed he is in charge and rang the owner who sounded upset with officers visiting the venue , refused to come down to assist with the situation developing.

The male who have claimed to be in charge confirmed that it was drugs that officers found but kept telling officer that there are 'serious ' drugs out there and why officers are not arresting other people. The impression I got from the males at the venue was that they have seen nothing wrong in the illegal drug use and were reluctant to assist the police. 9 community resolutions for class C drugs were issued, number of larger bags of KHAT were seized and males were mate to leave the venue.

What I have observed through numerous visits was a poorly supervised licensed premises which resulted in number of complaints from local residents who felt genuily intimidated by the customer of the venue. Lack of supervision or attempt to adhere to license also resulted in use of drugs on the premises on a number of occasion. It was not one or two individuals using drugs in secret- instead, it has happened openly at the venue and was not stopped by license holder or people who were supervising the venue at the time. Further more, I have witnessed a lack of accountabiliity from the license holder to rectify the issues the venue has been caused, namely anti social behaviour and drug use.

Ensuring safety of residents is our main priority therefore I believe closure order would help in removing the risk of any further harassment to local residents and will stop illegal drug use in the premises.

Below I have identified 3 key areas of the closure order and include a brief summary as to why the closure order is necessary to prevent ongoing behaviour, nuisance and disorder at the address, to neighbouring properties, to residents living within close proximity and contractors working at other properties.

- A)Group of individuals linked ot the licensed premises have engaged, or (if the order is not made) is likely to engage in disorder, offensive or criminal behaviour on the premises.
- B)The use of the premises has resulted, (or if the order is not made) is likely to result in serious nuisance to members of the public.
- C)There has been (or if the order is not made) is likely to be disorder near those premises associated with the use of those premises and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, recurring or occurring.

I have considered all my powers as a police constable and I believe that a full closure order is the best option for preventing such behaviour in the future and this also safeguards the local community.

Witness Signature:

Signature Witnessed by: