

APPENDIX C

From: [Licensing Shared Email](#)
To: [Stone, Derek](#); [Robson, Debra](#)
Subject: FW: ref: License Review 23/02417/LAREVI. Monty's
Date: 19 July 2023 16:28:17
Attachments: [Propose conditions for Monty.pdf](#)

- Official Sensitive -

From: Karim Sattari [REDACTED]
Sent: Wednesday, July 19, 2023 4:14 PM
To: Licensing Shared Email [REDACTED]
Cc: Jon Wallsgrove [REDACTED]
Subject: ref: License Review 23/02417/LAREVI. Monty's

ref: License Review 23/02417/LAREVI

For the attention of the licensing authority.

Please accept this email as my formal representation with regards to the review being carried out on our premises licence held at Monty's Restaurant and Cocktail Bar, 69 Castle Road Southsea, PO9 3LX.

We take this opportunity to explain how we have operated at Monty's, the environment we have tried to create during our ownership of the venue and the problems we have faced from our neighbours, who has subsequently applied for the License review. We will explain what actions we have taken and the additional licensing conditions we have proposed to the council to put forward to the applicant to prevent any further issues and reach a mutual agreement ahead of the committee meeting on 16th August 2023.

My wife, my brother and I bought the business as a going concern on 23rd of February 2022. It has always been our dream to own a venue such as Monty's and we are passionate about great food, high quality drinks with quality fresh ingredients. At Monty's we lifted to standard of a la carte food and drinks to a level considered to be relaxed fine dining. We created a sophisticated atmosphere with a romantic ambiance to attract a pleasant and friendly standard of clientele. Most of our bookings were for special occasions, milestone birthdays, anniversaries, proposals, engagements, family gatherings and couples dating. Much of regular customers also included residents of castle road and the surrounding areas.

We were extremely shocked when we were informed that our license was subject to a review by an resident. We knew of concerns over our noise levels on occasion but we found these to be on evenings when private parties had booked out our venue and included a live or sometimes amplified singer. After being informed that our noise levels were too high, we removed our speakers to a much smaller single speaker (small Google nest mini) and would only allow singers under the implementation of an approved Temporary Event Notification.

We must also express how the review applicant's husband, David O'Reilly has been extremely threatening and violently abusive throughout our ownerships of Monty's. In actual fact, the very

first time I met Mr O'Reilly he had summoned me to his front door to ask me what my intentions were for the business, and to express that he "can be quite an animal if he is upset" as they didn't like the clientele standing outside the front of Monty's smoking and talking on the street near their front window. From that day forward we, our manager and our customers received countless threats and suffered incidents of abusive violent and threatening behaviour from him. On one occasion Mr O'Reilly threw a bucket load of water over his roof garden on to the customers on the street below. This I must add, was while we had a pavement license in place for customers to enjoy out the front of the restaurant. Our restaurant manager, Sonny Graham has had to call the Police on many occasions as Mr O'Reilly has threatened him and our customers. We have also had reports from customers, that they have been warned off the restaurant by him as they were about to enter for dinner. The two previous owners have also since described to us how Mr O'Reilly had threatened them and even violently assaulted one of them across the bar in the venue.

The most recent incident was on 17/06/23, we had a private party booking. We had a TENS in place as the party was a 21st birthday and they had booked a singer. Shockingly the actual birthday girl was verbally abused at her party by Mr O'Reilly. He verbally abused her very loudly and stood in her personal space pointing his finger in her face. Mr O'Reilly is a tall, broad man and the girl was a 21 year old petite woman. She later expressed how she felt threatened and frightened by his behaviour. We believe Mr O'Reilly had been drinking on this occasion and clearly instigated the altercation which could have been easily avoided. He was physical towards a few other people at the party and one lady ended up with a black eye and another with her hair extensions pulled out. The police were again called on this occasion and we felt it necessary to stop the party early to avoid any further altercations or worsen the incident. Crime reference numbers can be easily obtained by the police to support our accounts of these incidents and numerous others.

Once we received the licensing review application, we immediately instructed a solicitor for advice because we are confident that we have not been operating in the way in which we have been depicted by the review application. Our restaurant is primarily aimed at couples and families of all ages and we very rarely have large groups of young people or big tables. That said there just isn't enough trade on a weekly basis for us to be able to turn down private function bookings to help us sustain the business. On these occasions we applied for TENs where we felt necessary and always strived to maintain the licensing objectives and not cause a nuisance to the neighbouring public. However, this is a restaurant and Cocktail bar - customers are trying to have a nice time, people talking, background music and the occasional party are simply part and parcel of a licensed establishment. The venue has been Monty's for over 7 years and was previously a bar called 'Angry Ally's for a number of years prior to that. Mr and Mrs O'Reilly moved into their property which was also a commercial unit, a post office which they converted to residential property. They bought this property knowing that they were next to a restaurant and Cocktail Bar. In the time we have owned the venue, the applicants have also advertised their property for sale which we believe may also be provoking their behaviour towards us, and motivate them to attempt to revoke or disrupt our license. This may certainly better their selling position and potentially be a financial gain if a high price is achieved for their property.

Our solicitor advised us to agree to the following conditions which we have suggested be put forward to the applicant Mrs O'Reilly. We suggest that we meet to find common ground with the aim of reaching an agreement on the additional license conditions going forward. The conditions

we have proposed to add to our license are as per the attached pdf document.

These conditions have now been accepted by the Licensing Authority and EHO. We must also highlight that the Police have not made a representation against the application. We also stress that the responsible authorities are considered experts" in crime and disorder and public nuisance and have agreed the conditions we have proposed.

We are also sad to confirm the closure of the venue which is now being marketed. We need to sell the lease of the venue to recover our losses and initial sums invested. Cutting the hours back would not make the venue financially viable and this makes it very difficult to sell on. Finally we must stress strongly that we would suffer a significant financial loss if the license was lost and there would be little, if any value, remaining in the business.

The Committee should only do what is reasonable and proportionate to address the cause of the review, which in essence is the nuisance from music. The conditions proposed specifically address that cause. Reducing the hours or revoking the licence would not be in any way proportionate.

Kind regards

Karim Sattari
Company Director

HKS Enterprise Ltd

Monty's Restaurant and Cocktail Bar
69 Castle Road
Southsea
PO5 3AY

