

## APPENDIX 5



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### Alcohol Harm Reduction Unit

4<sup>th</sup> October, 2016

Ms. S. Lindsey  
Licensing Officer,  
Lewes District Council  
Southover House,  
Southover Road,  
Lewes,  
East Sussex  
BN7 2SY

Dear Ms. Lindsey,

#### **SUMMARY REVIEW UNDER S53A LICENSING ACT 2003 OF THE TREK NIGHTCLUB, BLATCHINGTON ROAD, SEAFORD, BN25 2AF**

Further to the Summary Review, as above, submitted by Sussex Police on Tuesday 20<sup>th</sup> September 2016 (attached at Appendix A), please find further information below in support of our review and that we wish to rely on in the Review Hearing on 17<sup>th</sup> October, 2016.

Sussex Police contend that the management of the Trek have seriously undermined the licensing objectives of:

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety

The chronology below includes all occurrences at the Trek since October 2015, and describe in more detail the incidents, which were provided in the Summary Review document, plus additional incidents, visits and meetings.

1. **Sunday 4<sup>th</sup> October 2015 at 00:48hrs.** Police were called to the Trek by one of the door staff who reported that a 'bouncer' had been assaulted by a female. On officers arrival they saw the female, who was drunk, being detained by door staff as she had been behaving aggressively on the dance floor. She was shouting and screaming and when the door staff told officers she had punched one of them in the chest, she was arrested for assault. When she was placed in a police vehicle she kicked one of the windows and had to be removed to avoid damage to the vehicle. She kicked one of the officers and as a consequence was further arrested for Assault Police. She was extremely aggressive towards them, shouting, swearing, kicking out and struggling. When she spat on the trousers of one of the door staff who was standing nearby she was further arrested for Criminal Damage.

On arrival in custody at 01:51hrs she was too drunk and violent to be given her rights and was therefore taken straight to a cell where she continued to scream, shout and spit. She was eventually given her rights at 08:47hrs but not deemed to be sober enough to be interviewed until 09:29hrs. She was later given Cautions for four offences: Assault by Beating, Assault Police, Resisting arrest and Common Assault.

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2. **Sunday 1<sup>st</sup> November 2015 at 10:11hrs.** Police received a call from a local resident reporting customers from The Trek behaving in an anti-social manner earlier that day. The caller advised that customers leaving the premises in the early hours of that morning had banged on the caller's windows, he advised this happened on a regular basis adversely affecting the caller and their family's day-to-day life. The caller also said that the family had started going to bed early, turning all the lights off in the hope that less attention by Trek customers would be drawn to their property.

3. **Saturday 21<sup>st</sup> November 2015 at 02:15hrs.** Police received a call from a female reporting that her husband had been involved in a fight at The Trek during which his wallet was stolen. She also said that he was trying to leave the house to 'go and sort it out'. At 02:38hrs Police received a call from the male reporting that he had been robbed of around £200 about an hour previously and was outside The Trek. When officers located the male he was both drunk and angry saying that he had been involved in a scuffle at the bar and once home he realized his wallet was missing. Police formed the view that it was more likely that the male had dropped and lost his wallet due to his drunken state. However, he was adamant it had been stolen and therefore the matter was recorded as a crime. He refused to co-operate with officers and therefore the matter was filed undetected.

4. **Thursday 3<sup>rd</sup> December 2015 at 16:00hrs** a Pubwatch meeting took place chaired by Mrs. Newton-Turner. Subsequent minutes of this meeting documented two incidents at The Trek that had not been reported to police.

5. **Sunday 13<sup>th</sup> December 2015 early hours.** Officers were at the premises as part of a routine patrol. Whilst talking to customers they were beckoned over to the front gate by one of the in-house door staff who said he had been 'cracked in the face' by a female. He said that the female who was extremely agitated and "clearly intoxicated" had approached him and complained that this was the third occasion that the club had lost her coat. When he told her that he had nothing to do with the cloakroom she continued to argue with him. Despite asking her to move on a number of times the female persisted and eventually the doorman told her to 'Fuck Off'. In response the female slapped his face. When officers spoke to her she was both agitated and aggressive, trying to walk away from them. Once calmer she provided her details and admitted the assault.

Due to CCTV not being viewable at the time, the doorman not being able to make a statement straight away and the female's drunkenness, she was taken home. The matter was later dealt with by Community Resolution; a letter of apology and a referral to the Seaford Pubwatch Scheme. When the Pubwatch list of banned persons was checked, no record of a Pubwatch ban could be found. This is disappointing as the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) Mrs. Newton-Turner was chair-person of the scheme at the time, and it would appear the female was not proposed for a ban.

6. **Saturday 19<sup>th</sup> December 2015 approx. 02:08 hours.** Police received three calls in relation to this incident. The first at 02:08hrs from one of the in-house door staff reporting a fight involving a large number of people taking place outside the club. The second call was at 02:10hrs from a local resident reporting they had just been woken up by the noise of a fight outside the club and the third call at 02:13hrs was from another local resident making a similar report but adding that there was a male on the ground. Police investigations confirm that at approximately 01:55hrs one of the doormen had been called to assist another doorman to remove a problem customer from the club who had been behaving aggressively towards another customer. Once outside he appeared to calm down.

At 02:05hrs when customers were starting to leave the club the same doorman was called to the front gate where he saw a group of between eight to ten people outside who were squaring up to each other. The male who had been ejected earlier punched one of them the group divided and started fighting, one group with another. Door staff separated the two main protagonists and dispersed the two groups in different directions. However, they started shouting insults at each other and another fight broke out resulting in an uninvolved male who had left the club with his friends to walk home, being attacked. He was pulled to the ground where he was punched repeatedly, including on his throat which made breathing difficult and speech impossible. His head was stamped on, causing him to become unconscious. The victim was taken to hospital where tests later revealed that his jaw was fractured, which is an injury consistent with Grievous Bodily Harm.

A male was located and arrested who matched the description of the offender. At 13:00hrs police received a second call from one of the earlier two local residents stating that there was mud, blood and a hand print on one of their windows, a Scenes of Crime Officer attended but nothing of any evidential value was gained. After an investigation the matter was filed undetected because the victim was drunk at the time of the assault as were his friends who witnessed the attack and no one could positively identify the offender.

7. **Friday 25<sup>th</sup> December 2015 at 00:59hrs** officers were flagged down by door staff from The Trek reporting that during a fight over a female between two males in the smoking area, one of the males had been assaulted. When the officers spoke to the victim who had swelling and reddening above his cheek bone, he was reluctant to provide any details. However, he agreed to the officers taking him home. Whilst in the police car, a male tried to open the door where the victim was sitting. He confirmed that this was the male who had assaulted him and the male was therefore arrested for Assault Occasioning Actual Bodily Harm. On arrival in custody at 01:45hrs the male was too drunk to be interviewed and placed on 30 minute welfare checks; just over nine hours later at 10:48hrs he was sober enough to be interviewed. Throughout the investigation the victim refused to support police and therefore no further action could be taken.

8. **Sunday 27<sup>th</sup> December 2015 at 02:26hrs.** Police received a call from a local resident reporting a group of about 15 people close to their house, four of whom were fighting whilst the remainder were trying to stop it. The caller could not provide any further information as their child had been woken up by the noise and was crying. At 02:34hrs police received a call from one of the door staff at The Trek reporting the presence of a drunken male at the club who was being verbally aggressive towards staff but who had run away as soon as police were called; an area search failed to locate the male. At 02:58hrs police were called by a female reporting a male crying at the entrance to her home address and refusing to leave. When officers attended they spoke to another female who said that she and the male had been in The Trek earlier and had had an argument about his drunkenness and his aggressive behaviour towards door staff. The male who was drunk was also spoken to and as no offences had been committed he was taken home. Both the male and the female denied any knowledge of the fight referred to in the first call to police.

9. **Thursday 4<sup>th</sup> February 2016 at 16:00hrs** a Pubwatch meeting took place chaired by Mrs. Newton-Turner. Subsequent minutes of this meeting documented four incidents at The Trek that had not been reported to police.

10. **Sunday 7<sup>th</sup> February 2016 at 01:04hrs.** Police received a call from a female who was shouting, swearing and alleging that the owner of The Trek had assaulted her. Police terminated the call as the female continued to shout and swear. At 01:11hrs the same female called police again saying she had been assaulted by a 'bouncer' at the club who had split her lip. She told the call handler she had started to walk back to Newhaven along a fast, dark road. As she was clearly very drunk and lost, her call was graded as an emergency due to her vulnerability. Police searched for her without success. At 01:40hrs police received a call from another female reporting that she had been assaulted by another female whom she named. (This was the female who had made the first two calls.) The circumstances were that whilst the victim was in the photo booth within the Trek, the drunken female started shouting at her. When the victim came out of the booth the female hit her in the face, pulled her to the floor, sat on her and tried to pull her hair out. door staff separated the pair and the drunken female was ejected. The incident was not reported to police by anyone at the club nor was the safety or vulnerability of the drunken female considered when ejecting her. The matter was resolved by Community Resolution.

11. **Sunday 14<sup>th</sup> February 2016 at 02:15hrs** Police received a call from a local resident reporting a large fight in the street a little way away from the club. When Officers attended at 02:20hrs they saw a large crowd of people arguing amongst themselves. The Officers dispersed the crowd and, although no allegations were made, they decided to take some of the people home to Newhaven to prevent any escalation whilst others took a taxi.

12. **Saturday 20<sup>th</sup> February 2016 at 01:24hrs** Police received a call from a door supervisor at the premises reporting that a male was being abusive and aggressive to staff and customers and was refusing to leave. The male was the subject of a Pubwatch Ban that had commenced on Thursday 3<sup>rd</sup> December 2015 expiring on Friday 3<sup>rd</sup> June 2016. The male's Pubwatch record shows that this was not the only breach of his ban at the premises; he succeeded in gaining entry to The Trek on Friday 19<sup>th</sup> February The PLH/DPS of the Trek was chair-person of Seaford Pubwatch at the time and has made assertions on several occasions that her door staff 'know everybody' and so persons banned on Pubwatch would not be permitted entry to the premises.

13. **Sunday 28<sup>th</sup> February 2016 at 00:22hrs** Police received a call from a local resident reporting that two drunken males were outside their house were having a heated argument. A third male came out of The Trek and tried to encourage the males to go 'back inside the club'. Before re-entering the Trek, one of the males urinated in the caller's porch.

14. **Sunday 20<sup>th</sup> March 2016 at 02:39hrs.** Police received a call from a male reporting that his daughter had been assaulted by a female in the smoking area of the Trek earlier that evening. When spoken, to the victim said that she had been punched in the face by a female causing her to fall to the ground where she 'passed out' briefly, though she attributed that element of the assault to the amount of alcohol she had consumed. Although she sustained a black eye, an injury consistent with Actual Bodily Harm, she was not prepared to co-operate with police and therefore the matter was filed. No call was received by police from any staff at the Trek.



15. **Sunday 3<sup>rd</sup> April 2016 at 01:20hrs** Police received a call from Sussex Ambulance reporting their attendance at the premises to an unconscious male with a head injury. When officers attended they were told the male had been found on the ground in the courtyard by one of the door staff who had called an ambulance. Although the male's injury, a cut lip, was consistent with being punched he insisted that he had fallen over. Although the incident was recorded by police as Actual Bodily Harm it was filed undetected due to lack of evidence. This matter was not reported to police by anyone at the premises.

16. **Thursday 7<sup>th</sup> April 2016 at 16:00hrs** a Pubwatch meeting took place chaired by Mrs. Newton-Turner. Subsequent minutes of this meeting documented three incidents at The Trek that had not been reported to police.

17. **Saturday 9<sup>th</sup> April 2016 at 02:07hrs** Police were called to the premises by one of the doormen reporting that a female had been assaulted by another female. Whilst the victim was on the dance floor someone threw a drink which went over her. When she turned round she was confronted by a female who head-butted her in the face causing her nose to bleed profusely and subsequently swell, an injury consistent with Actual Bodily Harm. The incident was later filed undetected as, despite the co-operation of the victim no suspect was ever identified.

18. **Sunday 17<sup>th</sup> April 2016 at 02:11hrs.** Police received three calls in quick succession from three separate local residents. The first call at 02:11hrs reported about twenty people fighting who had just come from The Trek. The police call-taker could hear a large amount of shouting in the background from predominately male voices. The second call also at 02:11hrs reported six males in the road outside The Trek who were pushing each other, shouting and swearing. The third call at 02:14hrs reported seeing a male pinned up against a wall and others throwing things at the lights so people could not see. The caller gave descriptions of two males who were being very violent. At 02:19hrs police CCTV started to monitor the area but could not see anything of note. At 03:02hrs officers reported that everyone had left the area. Again, no call was received from staff at the Trek to police.

19. **Sunday 1<sup>st</sup> May 2016 at about 02:34hrs** officers driving along Blatchington Road saw a male lying on the pavement outside one of the houses being looked after by his friends. When officers spoke to them they said the male had a head injury and had been unconscious for about two minutes. The circumstances were that the injured male and his friends had been in The Trek and after leaving an unknown male had punched the victim in the face causing him to fall to the ground where he hit his head on the pavement. All three friends were drunk, one so much so that he kept falling asleep in the street. One of the friends confirmed to police they had been drinking in the Trek. The victim was also extremely drunk but was able to tell the officers that he had intervened in an argument in the street and as a result was punched in the face causing a cut lip. A hospital examination revealed a fractured ankle, an injury consistent with Grievous Bodily Harm. No suspect was ever identified and the matter was later filed.

20. **Sunday 8<sup>th</sup> May 2016 at 02:13hrs** Police received a call from a local resident reporting about sixty people in the street, and that there had been a 'massive' fight and one person was lying on the ground whom the caller thought was unconscious. When officers arrived most of the people had left and no fighting was in progress. There was a male lying on the ground who had a slight swelling on his face and a deep cut about 1" long on the back of his head that was bleeding heavily. The male who was drunk was un-cooperative with the officers and refused treatment from an attending paramedic though his friends did say he had been punched in the face causing him to fall to the ground hitting his head. When spoken to by police later in the day the victim said he had sought medical attention resulting in the cut on his head being glued. Police recorded the incident of Wounding, which amounts to an offence of Grievous Bodily Harm, however as the victim would not support a police investigation the matter was filed undetected. No call was made to police from staff at the Trek.

21. **Friday 20<sup>th</sup> May 2016 at 23:00hrs.** PC Rush attended the Trek to talk to the DPS about some of the recent incidents at the premises. She was not available so PC Rush spoke to door staff instead and completed a licensing check. The details of this visit and a subsequent email received dated Saturday 21<sup>st</sup> May from the PLH/DPS are contained within PC Rush's statement, attached.

22. **Saturday 28<sup>th</sup> May 2016 at 01:49hrs.** Police received a call from a male reporting a large fight. At about 01:50hrs one of the door staff saw a male 1 'twerking' another male 2 on the dance floor. Male 2's friend took exception to this, went over to Male 1 and grabbed him round the neck before head-butting him. The victim was also slapped by the female friend of Male 2. The doorman intervened, separated the males and then, with the assistance of another man, attempted to eject him from the premises. A third male grabbed one of the doorman in a headlock causing him to feel lightheaded and only released his grip when the doorman fell backwards. He was escorted from the club where he started a fight with, what door staff believed, the intention of targeting them. During the fight two members of door staff were assaulted, one sustaining injuries consistent with Actual Bodily Harm and the other of Common Assault. A drunken male was arrested on suspicion of causing Actual Bodily Harm. On arrival in custody at 02:55hrs the male was deemed to be drunk and was

therefore placed on 30 minute welfare checks. He was considered fit to be interviewed at 11:21hrs when he was granted bail. On Saturday 30<sup>th</sup> July 2016 he was charged with Assault by Beating and bailed to appear in court in September 2016. Officers who attended the incident were able to view CCTV footage but were unable to obtain a copy at the time. On Wednesday 8<sup>th</sup> June 2016 the CCTV was still outstanding; when previous attempts to obtain it had been made there was no one present at the premises. On Friday 10<sup>th</sup> June 2016 officers again attended the premises and the PLH/DPS provided the CCTV. However, when the investigating officer PC Owen viewed it on Tuesday 14<sup>th</sup> June 2016 there was nothing on it. She sent an email reporting this to other officers investigating the incident and sent a copy to PC Rush. The email also stated that she had had a conversation about this with Mrs. Newton-Turner who stated that the CCTV overwrites every nine days blaming the police for the delay in collecting it. Because the CCTV system only retains images for such a short period of time all footage of the incident had been lost.  
A copy of the email from PC Owen is contained within the evidence bundle.

**23. Friday 10<sup>th</sup> June 2016 at 14:00hrs** a meeting took place between the PLH/DPS Mrs. Newton-Turner. PS Vokins and PC Rush. The purpose of the meeting was to discuss the number of incidents of crime and disorder connected to the premises and the levels of intoxication of the people involved. Thirteen incidents between 4<sup>th</sup> October 2015 and 28<sup>th</sup> May 2016 were discussed in which customers' drunkenness was the prevailing feature. Club procedures including searching, illegal drug handling, door staff deployment, dispersal of customers when the premises closed and a possible reduction of trading hours were also discussed. The meeting concluded by PS Vokins requesting an action plan for the management of the premises from Mrs. Newton-Turner.  
A copy of the minutes is contained within the evidence bundle.

**24. Monday 13<sup>th</sup> June 2016** a letter from PC Rush and PS Vokins was sent to Mrs. Newton-Turner confirming the police concerns and reiterating the measures to be implemented at the premises that she should consider when preparing her action plan.  
A copy of the letter is contained within the evidence bundle.

**25. Tuesday 14<sup>th</sup> June 2016 at 15:52hrs** Mrs. Newton-Turner emailed the actions she proposed to take in relation to the management of the premises and explanations of that which was already in place. She also included some attachments, one of which was her drugs policy. This consisted of an A4 sheet of paper, "Our Drugs Policy No Drugs". In her conclusion of the action plan she stated that she had resigned as Chair of Seaford Pubwatch as she felt "under a severe and imminent threat from the police" with regard to her licence.  
A copy of this action plan is contained within the evidence bundle.

**26. Tuesday 14<sup>th</sup> June 2016 at 12:41hrs** Mrs. Newton-Turner sent an email to Pubwatch members and others informing them that under the circumstances of her resignation as Chair her successor was not prepared to take on the role. In light of that, Seaford Pubwatch was disbanded.  
A copy of the email is contained within the evidence bundle.

**27. Saturday 18<sup>th</sup> June 2016 at 02:28hrs** Call from a local resident reporting people who had just come out of The Trek fighting and throwing rocks outside their home, The caller further stated they had been woken up by the noise. When officers attended at 02:38hrs the group had already dispersed.

**28. Wednesday 22<sup>nd</sup> June 2016** LO Wolfe sent a letter to Mrs. Newton-Turner. The purpose of the letter was threefold; to introduce herself as the new licensing officer for the area, to express the desire to meet her and to comment on her action plan.  
A copy of the letter is contained within the evidence bundle.

**29. Wednesday 22<sup>nd</sup> June 2016 at 13:33hrs** PC Rush sent Mrs. Newton-Turner an email introducing LO Wolfe, suggesting a date to meet and requesting CCTV for the incident on 18<sup>th</sup> June at point 27 above.  
A copy of this email is contained within the evidence bundle.

**30. Thursday 23<sup>rd</sup> June 2016 at 19:22hrs** Mrs. Newton-Turner sent a lengthy reply to the email from PC Rush. The email covered a number of matters including, disputing that a reduction of hours can be achieved by a Minor Variation, an historic matter relating to a police officer whom she claimed was dismissed from Sussex Police as a result of a complaint from her. (This in fact was not the case, the officer continued his career at Chief Officer Level in two other Police Forces) She also outlined her status as a door supervisor, a possible meeting date and an agreement to produce the requested CCTV.  
A copy of this email is contained within the evidence bundle.

31. There followed a number of emails from Mrs. Newton Turner relating to incidents within the premises (**Saturday 25<sup>th</sup> June 2016**), another meeting date and her intention to invite the Lewes District Council Licensing officer and the area manager of Marc One Security (**Sunday 26<sup>th</sup> June 2016**) and finally a meeting date that was convenient for the area manager of Marc One (**Monday 27<sup>th</sup> June 2016**).

Copies of these emails are contained within the evidence bundle.

32. **Thursday 30<sup>th</sup> June 2016 at 12:11hrs** Mrs. Newton-Turner sent an email to LO Wolfe responding to the points raised in LO Wolfe's letter dated 22nd June 2016. A copy of this email is contained within the evidence bundle.

33. **Monday 11<sup>th</sup> July 2016 at 11:00hrs** A meeting took place at The Trek attended by Mrs. Newton-Turner, Mr. Newton-Turner, the area manager of Marc One Security, a Lewes District Council officer, PS Vokins, PC Rush and LO Wolfe. The meeting had originally been suggested by LO Wolfe as she had recently taken over the area and wanted to meet with Mrs. Newton-Turner and have a walk through of the premises, and also clarify the police concerns.

As Mrs. Newton-Turner had invited the LDC Licensing Officer Ms. Lindsey and Mr. Alan Sidders from Marc One Security PS Vokins also attended. During the meeting Mrs. Newton-Turner disputed a number of matters, including incidents police raised by police during their first meeting on 10<sup>th</sup> June 2016, she said that she did not believe they had ever taken place. PS Vokins said that if this was to be her stance there was little point in continuing the meeting. However, it was agreed that LO Wolfe would meet with Mrs. Newton-Turner separately to review the aforementioned incidents in detail. The meeting continued, during which Mrs. Newton-Turner interrupted and 'over-talked' the police representatives. PS Vokins stated that she should discontinue her practice of taking illegal drugs from the premises to deliver them to Seaford Police Station, as she did not have authority to be in possession of illegal drugs, and that a notice in the premises foyer, which is on public display, stating this should be altered accordingly. A copy of the police minutes is contained within the evidence bundle as is a statement by LO Wolfe relating to the initial meeting arrangements.

34. **Tuesday 12<sup>th</sup> July 2016 at 19:01hrs** Mrs. Newton-Turner emailed a copy of her own minutes of the meeting, a list of recent events between herself and police entitled 'Calendar of Events – Police Threats' and an information governance relating to the use of CCTV.

Copies of these documents are contained within the evidence bundle.

35. **Friday 15<sup>th</sup> July 2016 at 11:37hrs** Mrs. Newton-Turner went to Seaford Police Station and handed in two packets of illegal drugs found at the premises; this despite being told she must not do this by PS Vokins in the meeting on 11<sup>th</sup> July.

36. **Friday 22<sup>nd</sup> July 2016** PS Vokins received a letter from Quality Solicitors Barwells that stated the company had been instructed by Mrs. Newton-Turner regarding recent correspondence and meetings between police and their client. The letter also stated that Counsel's advice would be sought.

A copy of this letter is contained within the evidence bundle.

37. **Sunday 24<sup>th</sup> July 2016 at 02:15hrs.** Police received a call from a local resident reporting a massive fight involving forty people, someone on the ground and people crying. There were a further six calls about this incident, two from staff, two from a members of the public and two from local residents. When officers attended they saw a large group of about forty people surrounding a male on the ground outside the premises whose head was bleeding heavily. The officers tried to disperse the group who were all extremely drunk and highly excitable some of whom said that weapons had been used including a baseball bat and a screwdriver. This was later confirmed by the doorman who had given the victim first aid. He later stated that he saw a male shouting at those fighting and raising the bat as he did so. The doorman went to grab the bat but the latex gloves he was wearing were covered with the victim's blood and it slipped from his hand. He then heard someone shout a warning, "Screwdriver" and, fearing for his personal safety, decided to retreat. When officers spoke to the injured male, who was extremely drunk, he said he could not remember what happened other than he had been punched in the face causing him to fall to the ground where he hit his head. He was taken to hospital where medical examinations confirmed his injuries to be a fractured left cheekbone, a broken nose, a ruptured sinus membrane, two chipped teeth and whiplash; injuries consistent with Grievous Bodily Harm. After an investigation the matter was filed undetected due to a lack of both witnesses and support from the victim.

38. **Sunday 24<sup>th</sup> July 2016 at 04:25hrs** an email was sent to PC Rush from PC CD327 Daniel who had attended the incident at 37 above. He gave a short overview of the incident including that it took over two hours to disperse the crowd from outside The Trek. He also stated that it appeared to him that all the customers from The Trek went out on to the street, split in half and then wanted to fight each other and that they were definitely drunk. There followed a short email exchange between them related to the incident, a copy of which is contained within the evidence bundle as is an enquiry from PC Rush, dated Tuesday 26<sup>th</sup> July 2016, to PC DP211 Pittman and her reply also about the incident.



39. **Monday 25<sup>th</sup> July 2016 at 12:34hrs** Mrs. Newton-Turner sent an email to PC Rush about the assault that had occurred the previous evening at point 37 above. She also stated that she had consulted her solicitor about the police concerns at her premises who would in turn be raising matters that were in dispute with police. A copy of the email is contained within the evidence bundle.

40. **Monday 15<sup>th</sup> August 2016 at 14:00hrs** Representatives from Sussex Police and the office of the local MP, Maria Caulfield, met with local residents

41. **Saturday 20<sup>th</sup> August 2016 at 02:04hrs.** Police received a call from a local resident reporting that people leaving The Trek were screaming threats of violence towards each other including threats to kill. They then stated that the situation was escalating, a female was screaming and people were pushing and shoving each other. At 02:05hrs police received another call from a different resident who also reported the disorder. At 02:07hrs another resident reported the fight stating that people were punching and kicking each other and that there were three separate fights going on. There were two further calls from more local residents in relation to this incident at 02:07hrs and at 02:12hrs. Police CCTV witnessed punches being thrown. Officers went to the area and saw a number of people in the street. Although by that time no one was seen to be fighting officers noted raised voices and general drunken behaviour. At no time was a call made from staff at the Trek to report this incident.

42. **Sunday 21<sup>st</sup> August 2016 at 01:58hrs.** Police received a call from door staff at the Trek reporting that they had detained a male for assaulting a female. The male was arrested on suspicion of Common Assault. When the female was spoken to by attending officers she was very drunk but was able to tell them that she was with her boyfriend and he had become hostile towards her because he thought she was seeing someone else. When asked a number of times whether she had been assaulted, although rather vague, she said that she did not remember but assured the officers that she had no injuries. The male was later released from custody without being charged due to a lack of evidence. There was no CCTV available from the premises as Mrs. Newton-Turner told PC Rush in an email on Wednesday 24<sup>th</sup> August 2016, the system had been hacked into on Friday 19<sup>th</sup> August 2016 and was therefore not functioning.

43. **Sunday 11<sup>th</sup> September 2016 at 01:50hrs.** Police received a call from a local resident reporting fifty people fighting outside the premises. Police arrived at 01:53hrs and one of the officers described what he saw as "a scene from the Wild West". At 02:02hrs a further call was received from Sussex Ambulance reporting their attendance to an assault. The circumstances were that, following an ejection of two males from The Trek for fighting on the dance floor, approximately fifty customers poured out of the club and, in small groups, began fighting amongst themselves in the road outside. The door staff went outside followed by the PLH/DPS Mrs. Newton-Turner. At the time she was dual-rolling by acting in the capacity of both a door supervisor and the DPS, something the police had recommended that she does not do. During the fighting one of the door staff was punched in the face causing muscle and ligament damage to his jaw and the other, whilst restraining a male on the ground, was kicked in the face a number of times by a male who had previously been in the premises for just under 2 hours. This member of door staff sustained injuries consistent with Grievous Bodily Harm namely, a fractured left eye socket, complex fractures to the left optical bridge, multiple complex fractures of his cheek and nasal bones, bleeding to his left retina and the iris in his left eye was torn impeding his vision. The alleged offender was arrested for causing Grievous Bodily Harm with Intent. On arrival in custody at 02:29hrs the male was deemed to be drunk and was therefore placed on 30 minute welfare checks. At 14:10hrs that day he was bailed to a date in November 2016. As already stated the incident was reported to police by a local resident and a member of the public called an ambulance. At no time was a call made to police or the ambulance service by the Designated Premises Supervisor or any member of staff at the premises.

44. **Monday 12<sup>th</sup> September 2016** Sgt Vokins, PC Rush and LO Wolfe attended the Trek to obtain CCTV. The officers viewed CCTV at the premises, and asked for a copy. Mr. Newton-Turner attended and advised the officers that the requested CCTV would take a while to burn off, and could be collected the next morning. During the visit, the officers asked Mrs. Newton-Turner if any staff at the Trek had called the police or the ambulance following the incident on the 11<sup>th</sup> September, and she advised she didn't know. She was further asked if there had been any refusals of sale of alcohol to anyone at the Trek on previous evening, and she confirmed that had not been any refusals. Mrs. Newton-Turner advised the officers that the requested CCTV would take a while to burn off, and could be collected the next morning.

PC Rush collected the CCTV the next morning and it was viewed by the licensing team, however it was noted that not all the CCTV requested had been supplied. There then followed a period of investigation by the licensing team to ascertain if this serious crime and/or serious disorder on the 11<sup>th</sup> September was attributable to the Trek.

Such was the concern of Sussex Police at the escalation of violent incidents being generated by, and directly related the Trek, for the safety of the public, that it was decided by senior officers that, until the investigations were complete, officers would be deployed outside the venue both Friday and Saturday

45. **Tuesday 20<sup>th</sup> September 2016** the evidence gathered by the licensing team was presented and reviewed by T/Superintendent Warren Franklin, who authorised a Summary Review Application to be served. The evidence bundle was finalized and the Application was served on the Licensing Authority later that day.

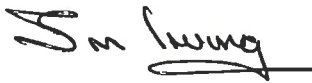
46. **Sunday 18<sup>th</sup> September 2016 approx. 02:30hrs.** Patrolling officers saw a male with facial injuries (a cut on his head and one under his eye) in Broad Street which is about two minutes' walk away from The Trek. Friends with the male said that he had been punched in the face causing him to fall to the ground where he became unconscious. They pointed to a male a little further away who they said had attacked their friend; this male was arrested on suspicion of Assault Occasioning Actual Bodily Harm. On arrival in custody at 03:30hrs the alleged offender was too drunk and violent to be given his rights and was taken straight to a cell. He was placed on 30 minute welfare checks due to his level of intoxication. When interviewed the male said he had been in The Trek and admitted to using cocaine whilst in the premises. When the victim was spoken to he stated he had also been in The Trek where he had become "quite drunk". He declined to take the matter further saying he could not remember anything either just before, or just after the attack. The matter has been recorded by police as Actual Bodily Harm but filed undetected due to the victim's refusal to support any police action.

Listed above are forty-six occurrences connected to the premises of which twenty-four have been incidents of alcohol fueled crime and disorder, violence and customer drunkenness.

This further submission in relation to the Summary Review application provides clear evidence that the Trek is associated with a significant number of incidents of crime and disorder and public nuisance. Members of the public and door staff have been seriously assaulted and suffered significant harm and injury as a result of the way in which the premises is being managed and operated. Staff and management at the premises have demonstrated a disregard for public safety by repeatedly failing to call police and the ambulance service when there has been a need for them to attend.

Sussex Police contend it is both necessary and proportionate to request that the Licensing Committee give very serious consideration to revoking the premises licence of this venue.

Yours sincerely,  
On behalf of the Chief Constable of Sussex Police



**Jean Irving**  
Head of Licensing & Public Safety

**Attached:**  
**Evidence bundle's numbered 1, 2, 3, 4 and 5**  
**1 x DVD which we wish to rely on as evidence and play at the hearing on the 17<sup>th</sup> October.**