Evidence

Bundle

Sussex Police

Supporting Evidence for Review Application Bay Tree Inn, Pelham Road, Seaford

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- 1. Statement by PS CV146 Vokins of Sussex Police East Sussex Licensing Team
- 2. Statement by PC DR403 Rush of Sussex Police East Sussex Licensing Team
- 3. Statement by PC DD361 Deacon of Sussex Police East Sussex Licensing Team
- 4. Statement by PC CT202 Theelke of Sussex Police East Sussex Licensing Team

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This relates to an incident on Monday 14th March 2016 in Review Application

This is covered by:

Statement by PC DP211 Pittman

Seaford Pubwatch Banning Notice

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This relates to incident on Sunday 1st May 2016 in Review Application

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This relates to a meeting between PS Vokins, PC Rush and the DPS Mr. Glen Burvill on Friday 6th May 2016 in Review Application.

This is covered by:

An extract from PC Rush's investigator's note book No: 42919, pages 21 & 22.

This is additionally covered by:

- 1. Statement by PS Vokins
- 2. Statement by PC Rush

Paginated page 8:

Letter:

Letter sent to Mr. Burvill on Monday 9th May 2016 from PC Rush in Review Application.

This is covered by:

Copy Letter.

This is additionally covered by:

2. Statement by PC Rush

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Letter sent to PLH Mr. Steven Brumwell on **Wednesday 11th May 2016** from PC Rush in Review Application.

This is covered by:

Copy Letter.

This is additionally covered by:

2. Statement by PC Rush

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Licensing Visit:

This relates to a licensing visit on Friday 13th May 2016 in Review Application.

This is covered by:

An extract from PC Rush's investigator's note book No: 42919, page 24.

This is additionally covered by:

2. Statement by PC Rush

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Incident: (Drunkenness)

This relates to incident on Sunday 15th May 2016 in Review Application

This is covered by:

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This is additionally covered by:

1. Statement by PS Vokins

Paginated page 12:

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Statement by PCCW562 Williamson

This is additionally covered by:

2. Incident related statement by PC Rush

Paginated page 13:

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This relates to a text message requesting CCTV sent by PC Rush to Mr. Burvil on **Tuesday 7**th **June 2016** in Review Application.

This is covered by:

Screen shot of Text Message

This is additionally covered by:

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Iontrak Technical Information

This relates to technological information about Ion Trak Itemiser swabs in Review Application.

This is covered by:

Morpho Detection (UK) Ltd Technology Statement

Paginated page 15:

Incident: (Noise Complaint)

This relates to a noise complaint from a local resident on **Saturday 11th June 2016** in Review Application.

This is covered by:

Email to Lewes District Council from PC Rush

Email from Lewes District Council

Copy letter

This is additionally covered by:

2. Statement by PC Rush

Paginated page 16:

Text messages:

This relates to a text message requesting CCTV sent by PC Rush to Mr. Burvill on **Saturday 11**th **June 2016** and his reply in Review Application.

This is covered by:

Screen shots of Text Messages

This is additionally covered by:

2. Statement by PC Rush

Paginated page 17:

Email:

This relates to an email relating to the premises in Review Application.

This is covered by:

Email from C***** B****** dated Tuesday 14th June 2016

This is additionally covered by:

2. Statement by PC Rush

Paginated page 18:

Licensing Visit:

This relates to a licensing visit on Friday 17th June 2016 in Review Application.

This is covered by:

An extract from PC Rush's investigator's note book No: 42919, page 45.

This is additionally covered by:

- 2. Statement by PC Rush.
- 3. Statement by PC Deacon.

Paginated page 19:

Incident: (Drugs/Drunkenness)

This relates to an incident on Saturday 18th June 2016 in Review Application.

This is covered by:

Statement by PC CB701 Bridger

This is additionally covered by:

Statement by PS Vokins

Paginated page 20:

Letter:

This relates to a letter sent to PLH Mr. Steven Brumwell on **Tuesday 21**st **June 2016** from PC Rush in Review Application.

This is covered by:

Copy letter.

This is additionally covered by:

a. Statement by PS CV146 Vokins

Paginated page 21:

Meeting:

This relates to a meeting between Sussex Police, Mr. Brumwell and Mr. Burvill on Wednesday 29th June 2016 in Review Application.

This is covered by:

Meeting Minutes

Paginated page 22:

Companies House Research:

This relates to information given during a phone conversation between PS Vokins and Mr. Burvill on **Tuesday 5**th **July 2016** in Review Application.

This is covered by:

Company report

This is additionally covered by:

1. Statement by PS Vokins

Paginated page 23:

Letter:

This relates to a letter sent to PLH Mr. Steven Brumwell dated **Friday 8th July 2016** from PS Vokins in Review Application.

This is covered by:

Copy letter.

Paginated page 24:

Email:

This relates to an email relating to the premises in Review Application.

This is covered by:

Email from C***** B****** dated Monday 11th July 2016.

Paginated page 25:

Letter:

This relates to a letter sent to PS Vokins from Mr. Brumwell dated **Wednesday** 13th July 2016 in Review Application.

This is covered by:

Copy letter

This is additionally covered by:

1. Statement by PS Vokins

Paginated page 26:

Letter:

This relates to a letter sent to Mr. Burvill dated **Friday 15th July 2016** from PS Vokins in Review Application.

This is covered by:

Copy letter

Paginated page 27:

Letter:

This relates to a letter sent to Mr. Brumwell dated **Friday 22nd July 2016** from PS Vokins in Review Application.

This is covered by:

Copy letter

Paginated page 28:

Letter:

This relates to a letter sent to PS Vokins from Barwells Quality Solicitors dated Friday 22nd July 2016 in Review Application.

This is covered by:

Copy Letter

Paginated page 29:

Email: (Breach of Licence Condition)

This relates to an email to PC Rush from a police officer on **Saturday 23rd July** in Review Application.

This is covered by:

Email from PC CD327 Daniel

This is additionally covered by:

2. Statement by PC Rush

Paginated page 30:

Incident: (Common Assault/ Drunkenness/No Management Control/Poor Quality CCTV)

This relates to an incident on Saturday 30th July 2016 in Review Application.

This is covered by:

Statement by PC DC701 Crundwell

Statement by PC CU576 Upton

Email from PC DC701 Crundwell

Paginated page 31:

Letter:

This relates to a letter sent to PS Vokins from Mr. Brumwell dated **Sunday 31**st **July 2016** in Review Application.

This is covered by:

Copy letter

This is additionally covered by:

1. Statement by PS Vokins

Paginated page 32:

Further Evidence:

This relates to further evidence from two officers after the Review Application was served on 31st August 2016.

This is covered by:

Copy letter to Lewes District Council

- 2. Statement by PC Rush.
- 3. Statement by PC Deacon

Evidence relating to

Paginated pages 1 - 4:

4 x Police Statements



WITNESS STATEMENT
(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B: Criminal Procedure Rules 2005, Rule 27.1
URN
Statement of: Denham Vokins PS CV146 Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police officer
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police officer
This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it, which I know to be false or do not believe to be true. Signature: Date Monday 26th September
2016
Tick if witness evidence is visually recorded (supply witness details on rear) I am the Police Sgt for East Sussex Division's Alcohol Harm Reduction Unit. My role includes ensuring that
Licensed premises are operated in compliance with the conditions on their premises Licences and in a way
that promotes the Licensing objectives laid down in the Licensing Act 2003. When there is evidence that a
Licensed premises is either failing to operate within the law, is not promoting the Licensing objectives or is
breaching the conditions of it's Licence it is my duty to address these issues to ensure that people are kept
safe and that the problems at the premises are remedied.
Since Monday 14th March 2016 I have become increasingly concerned about incidents at, or associated with
"The Bay Tree Inn" in Seaford, there has been a significant increase in the frequency with which incidents
have occurred and an increase in both the levels of violence and drunkenness involved in some of those
incidents. Having looked in detail at what has occurred and the way in which the premises is being operated I
am of the opinion that the Licensing objectives of both crime and disorder and public safety have been
seriously undermined.
I have reviewed the evidence contained in the review application for "The Bay Tree Inn" and I submit this
statement to confirm where the evidence has originated from and to clarify it's contents.
The review application states that on Sunday 15th May 2016 at 02:12 hours Police received a call from a
person who reported seeing a neighbour assaulting his partner at a residential premises. Police records state
that both the male and female involved in the incident were drunk and the males t-shirt was described as
being soaking wet with alcohol. The male was arrested at 02:35 hours for assaulting the female & was taken
to Eastbourne Police custody. Police have a duty of care to all people whilst in Police custody; if a detainee
in custody is drunk there is a considerable additional risk to their wellbeing and as a result Police are
required to carry out regular welfare checks on them at least every half an hour. Owing to the drunken state
of the male half hourly checks had to be carried out on him white in custody until he was deemed to be

Page no. 2



Continuation of statement of sober. At 09:00 hours a Police Inspector reviewed the males ongoing detention in custody, the Inspector recommended that the male would have to be advised of this review at a later time when fully sober. In Police interview the male admitted assaulting the female and received an adult caution for Common assault. The female told Police that she and the male had gone to the Bay Tree during the evening prior to the assault & that they had both consumed a large amount of alcohol.

On Sunday 5th June 2016 at 19:05 hours, as referred to in the review application, a female reported to Police that her 17 year old daughter had been assaulted in the premises during the previous evening. Police records for this incident state that the 17 year old told Police officers she had drunk some wine and was tipsy when she then went to the Bay Tree. She said a female at the premises grabbed her around the neck and then scratched her face causing a large scratch to her forehead and smaller ones to the side of her nose and bleeding. The female said that she had been left with a deep mark to her forehead, she does not know if it will scar and she is worried that she may be assaulted by the female again. Police interviewed a female suspect regarding the assault who admitted that there was an incident but the investigation was filed without any further action being taken owing to a lack of witnesses. I have seen an evidential photograph of the injury to the victim's forehead which shows a prominent red scar / scratch above the victim's right eye.

The review application states that on Saturday 18th June 2016 at 01:46 hours a male who was extremely drunk and in possession of a quantity of white powder was arrested by Police outside another Licensed premises. Police records show that the powder was found on the male during a "condition of entry" search at the other premises. Due to being drunk the male was placed on regular half hourly welfare checks while in Police custody, as per the process for drunk or intoxicated detainees in Police custody which I referred to earlier in this statement. When later interviewed by Police officers the male said he had used cocaine in the Bay Tree Pub earlier in the night. The previous night, at 22:40 hours PC RUSH had visited "The Bay Tree Inn" and told Mr BURVILL that swabs taken by Police at the premises to test for the presence of drugs had revealed very high readings for Cocaine.

As referred to in the review application a letter was written on 21st June 2016 & undersigned by me & was hand delivered by Police to the premises and the home address of Mr BRUMWELL.

On Wednesday 29th June 2016 I attended Seaford Police station with Sussex Police Licensing officer Tony MASTERS & Sussex Police Licensing clerk Sylvie FREEMAN where we met with Mr BRUMWELL, the Premises Licence holder & Mr BURVILL, the Designated Premises Supervisor. Minutes of this meeting are contained in the evidence for the review application. The impression I formed of both Mr BRUMWELL and Mr

Signature Signature witnessed by:



Continuation of statement of BURVILL during this meeting was that there was little or no communication between them. Previous Police communications to both had confirmed how serious our concerns were but they did not seem to have a

joined up approach to the problems.

At 11:00 hours on Tuesday 5th July 2016 I phoned Mr BRUMWELL and asked him what plans he and Mr BURVILL had come up with regarding the management of the premises in the future to reduce the incidents of crime and disorder. Mr BRUMWELL had not come up with any plans. I was amazed that after all of the Police meetings, visits, advice & written correspondence regarding the premises Mr BRUMWELL offered no ideas as to how it was going to be operated in the future & as a result I was left virtually speechless. Nevertheless our conversation continued for a few more minutes during which Mr BRUMWELL occasionally went off topic and asked me if I had any suggestions. I reminded Mr BRUMWELL that Police had spent several hours in recent meetings with him and Mr BURVILL offering advice and that it was their responsibility to run the premises effectively, not the Police's.

Between 30 – 40 minutes later I phoned Mr BURVILL to ask him what plans he had regarding the way the premises was going to be run. Mr BRUMWELL may have had an opportunity to speak with Mr BURVILL since my earlier call. Mr BURVILL sounded vague during our conversation & I could hear other voices in the background. Mr BURVILL told me that his partner was with him. He relayed a message from her that she was asking PC RUSH to send her a list of things to do and then they would do them. I reminded him, as he had been told before, that it was not the Police's responsibility to tell him exactly what to do at the premises; it was his responsibility to come up with the plans to address the problems.

The review application refers to research on "VIP Security" at Companies House. I have viewed a copy of this search which showed that the company had been dissolved on 3rd March 2015.

The review application refers to a number of letters, I confirm that I have viewed all of the following:

A letter to Mr S.Brumwell dated Friday 8th July 2016 & undersigned by me.

A hand written letter dated 13th July 2016, signed "Steve Brumwell".

A letter to Mr S.Brumwell dated 22nd July 2016 and undersigned by me. On Friday 22nd July 2016 I hand delivered one copy of this letter to "The Bay Tree Inn" and another to Mr BRUMWELL's home address.

A letter dated 22nd July 2016 addressed to me from "Quality Solicitors Barwells".

A hand written letter dated 31st July 2016, signed "Steve Brumwell".

Since Mr BURVILL was appointed as the Designated Premises Supervisor of "The Bay Tree Inn" in February 2016 there has been an increase in incidents of crime and disorder at or associated with the premises. As

Signature Signature witnessed by:	РТО
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Page no. 4



Continuation of statement of

the review application states, prior to that time the premises experienced significantly fewer incidents. In my opinion the way that Mr BURVILL has operated the premises has seriously undermined the Licensing objectives of the prevention of crime and disorder and Public safety. He has failed to phone Police when they have been needed to deal with incidents at the premises, he has been responsible for allowing customers at the premises to become drunk, often to excess, he has been responsible for breaches of conditions on the premises Licence on numerous occasions, he has told Police he will do things in respect of the premises & simply not done them & he has not known or not understood conditions on the premises licence. He did not know what the Licensing objectives were as laid out in the Licensing Act 2003 when I asked him & he has seriously undermined the objectives of the prevention of crime and disorder and public safety by both acts and omissions. Due to his serious mismanagement of the premises some members of the public have been victims of assaults which have resulted in various degrees of physical injury.

Mr BRUMWELL has been made fully aware of the Police's concerns regarding the way the premises has been operated. Police have been open and forthright in their communications with both Mr BRUMWELL and Mr BURVILL in an attempt to avoid any doubt as to the seriousness of the situation. Police notified Mr BRUMWELL in writing and face to face that if there was no improvement in the way the premises was operated it could ultimately lead to a review of the premises licence.

The way the premises has been operated falls way below the standards expected. Police have spent a disproportionate amount of time dealing with this premises as a result of the incidents of crime and disorder and poor management that have taken place there. Police have had to respond to calls at the premises, sometimes as an emergency response, and found themselves having to deal with injured, drunk and aggressive people. The way the premises has operated has either contributed to situations occurring, or not done enough to help to resolve them. The Police have invested a significant amount of time and effort in pointing out to Mr BURVILL and Mr BRUMWELL how improvements can be made. Officers have often had to repeat advice a number of times when it appears it has not been heeded & checked and re-checked to see if any plans have been put in to place. The indifferent response and apparent lack of serious effort by either of the males to bring about an improvement at the premises has left me with the opinion that they have no interest in keeping their customers safe or reducing incidents of assaults, drunkenness and disorderly behaviour at the premises.

Sussex Police have been left with no option other than to submit an application to review the premises licence for "The Bay Tree Inn". The pattern of incidents and the way the premises is managed simply has to

Signature D. M.4.6

Signature witnessed by:

MG 11(T) (Cont)

Continuation of statement of statement of stop to ensure that public safety is no longer put at risk. In my professional opinion the conditions requested by Sussex Police in the review application are both proportionate and appropriate.

Signature Signature witnessed by:

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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

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			URN		
	Hannah Elizabath Duch		OI (I		
Statement of: Age if under 18:	Hannah Elizabeth Rush Over 18	Occupation:	Police Con	stable DR403	
Age ii under 10.		,			
This statement (and belief and I wilfully stated an	make it knowing that, if it is tend bything in it, which I know to be fal	se or do not pelleve	shall be lian	st of my knowled ble to prosecution	ge ı if I have
Signature:	ACDRAK	03 	Date	9th September	2016
Tick if witness e	vidence is visually recorded	(supply witness o	details on rea	r)	
	Constable with 13 years' servic				
Neighbourhoo	d Licensing Officer for Lewes	District. I have p	assed the I	evel two BIIAB	National
Certificate leve	el two for Licensing Practitioner	·S.		•	
On Friday 8 th A	April 2016 I attended The Bay ⁻	Tree and spoke to	Ms. C	who is th	ne partner
of Mr. Glenn	Burvill, the Designated Premis	ses Supervisor. M	r. Burvill wa	as not at the p	remises. I
discussed an	incident that had taken place a	at the premises or	the 14 th Ma	arch 2016, (refe	erred to in
the review do	cument at point 1) where a ma	ale reported he ha	d been ass	aulted another	male. Ms.
B did ad	dmit to me that "WE GOT OU	JR FINGERS BU	RNT" in rel	ation to letting	the male
suspect into the	he premises. Ms. B	d that as they wer	e not yet me	embers of Pubv	watch they
didn't know w	who else was currently banned	I, and deemed it	unfair to ba	n one person	when they
couldn't ban t	them all. However given the fa	ct that both the m	ale suspect	and his past h	istory was
known to both	n Ms. Band Mr. Burvill I th	ought this was ext	remely bad	judgement on t	their part. I
spoke to Ms	. Babout promoting the	e licensing object	tives and s	upporting Police	ce in their
enquiries. He	er response was that she thou	ught the police at	titude towa	rds the victim	was unfair
because he h	nad only 'said' something whils	t the other male h	ad committe	ed an assault. I	Ms. B
stated they for	ully intended to join Pubwatch	as soon as they	could and I	pointed out th	nat being a

MG11



WITNESS STATEMENT

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

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member of Pubwatch was a condition on the premises licence.

During the evening of Friday 29th April I visited the premises and spoke to the DPS Mr. Burvill. We had a long discussion about the premises and I asked to see if Part B of the licence was on display. Mr. Burvill asked me to check that this was the correct part of the current licence as he appeared unsure. Mr. Burvill also admitted to knowing the suspect of the incident that took place at the premises on the 14th March 2016 and stated he was shocked by the suspect's behaviour. The premises in general was discussed including historical noise issues. Mr. Burvill informed me that he would be making contact with Lewes District Council's Environmental Health department in order to ask about noise limiters for the sound system. When I asked Mr. Burvill again about Pubwatch he said he was aware that he had missed the last Pubwatch meeting but that he wanted to join.

On Friday 6th May at 10:00hrs a meeting was held with Mr Burvill at Seaford Police Station with Sgt Vokins and myself (in the review document point 5). The two incidents discussed involved people who were banned on Pubwatch and whom were deemed to be overly intoxicated by the Police Officers who attended. We raised concerns about the running of the premises and the way in which the two incidents had been dealt with. Specifically these were, the inadequate CCTV condition on the premises licence that states, 'CCTV installed on premises', and the inability of staff to operate the system and the condition relating to Pubwatch 'Join local Pubwatch scheme' that was not being complied with. In relation to this, when Mr. Burvill was asked by PS Vokins whether he knew the suspect for the incident on 14th March 2016 Mr. Burvill confirmed that he did and that he believed the male to be on the Seaford Pubwatch banned list due to a previous incident involving a claw hammer. When PS Vokins asked him why the male had been allowed into the premises Mr. Burvill said he wanted to "GIVE HIM A CHANCE". Another concern raised by

MG11



WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B: Criminal Procedure Rules 2005, Rule 27.1 11(T)

myself was the lack of staff training in contravention of the condition on the premises licence that states, 'Staff will be trained in all aspects of licensing law and records of training will be kept'. I asked what the process was for banning troublesome customers. Were people were who intoxicated allowed admission to the premises? Were any records kept of any customers being refused service of alcohol due to intoxication or to those who appeared to be under 25 without valid ID? I pointed out the issues that could arise from glassware being permitted in the outside areas. I also clearly outlined the law in relation to not serving alcohol to those who are drunk and not permitting drunkenness in the premises. PS Vokins said that the matter of applying for a Minor Variation to add to and amend the existing conditions on the premises licence would be discussed with Mr. Brumwell the premises licence holder (PLH). I then told Mr. Burvill that there were a number of actions we wanted implemented at the premises. I outlined these in detail and Mr. Burvill agreed to all the actions I had asked for. He also stated that he would be looking at having SIA staff in at weekends; I welcomed this offer. I arranged with Mr Burvill that I would visit the premises again in a weeks' time to see what actions had been carried out.

I followed up this meeting with a letter to Mr. Burvill dated Monday 9th May 2016 outlining the actions we had spoken about and agreed which I hand delivered to the premises that day. A copy of this letter is included in the evidence bundle. With the letter I included a pack containing the following items in order to help support Mr Burvill; Challenge 25 posters, Crime Scene Management Booklet, Unit Limit Wheel, Licensing Questionnaire along with answer sheet for staff training, 'Mates in a State' Poster, Euro 16 Letter, Evidence Bags for any illegal drugs found at the premises and No Drink/Drug Driving Posters.

On Wednesday 11th May 2016 I wrote a letter to Mr. Brumwell (PLH), hand delivered to the premises and his personal address, informing him of the police concerns in relation to the way the

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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

premises was being operated and managed, the recent meeting with the DPS and a request to submit a Minor Variation application in relation to the CCTV condition on his premises licence. A copy of this letter is contained within the evidence bundle.

On Friday 13th May at 17:00hrs I attended the premises as arranged to meet Mr Burvill. However he was not present. There was one staff member behind the bar and about ten male customers aged in their twenties in the rear garden who were being rowdy; the music and noise from this area was very loud for the time of day more reflective of an evening disco rather than late afternoon. When I spoke to the barmaid she told me that Mr. Burvill was currently out but would be back later. I told her who I was and said that I would call back later. Having left the building I saw that the barmaid was in the garden of the premises talking to the group of males. I thought that she must have told them about my visit because as I passed the gate to the rear garden they all turned around to look at me giving me the impression that I was the topic of their conversation.

I re-attended the premises around 19:10hrs; Mr. Burvill was present as was the bar Manager Mr. RWW a female member of staff and Ms. BWW I relayed my experience regarding my earlier visit in relation to the males in the garden, my concerns over the barmaid being left on her own and her ability to control the premises. Mr. Burvill told me that he didn't really want her working there anymore and stated that she hadn't really been left on her own because there was a regular customer who would keep an eye on her and the bar. I pointed out to Mr Burvill that he should not be using customers to substitute for, or watch over, staff. I then went over the letter dated 9th May 2016 with Mr. Burvill. He told me that the CCTV system was now set up and working and that he and two other members of staff could use it. The system covered inside and outside and could be viewed on the monitor behind the bar which the previous DPS had installed. Some of the cameras were in colour and some were black and white but Mr. Burvill did not know how long the recordings

MG11



WITNESS STATEMENT

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

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were retained for. He showed me the two cameras in the rear garden, one was clearly obstructed by a cloudy plastic casing which looked very weathered and Mr. Burvill stated that this was to be replaced. The second camera was situated low down on a wooden pergola but it could be reached easily from the ground which meant it could be moved by customers. Mr. Burvill told me that he was going to ask for some sort of covering for this camera so it could not be tampered with. With regards to Pubwatch Mr. Burvill stated that he had left one message for the chair of Pubwatch but had not heard anything back. I gave Mr. Burvill the mobile telephone number of the chair and the Pubwatch Online Website and told him to go through as much of the process online as he could in order to join the scheme himself. I again stressed the importance of his doing this as membership was a condition on the premises licence. When I asked Mr. Burvill about the refusals and incident books I was shown two pads of lined A4 paper that were being used for various notes, including some refusals but nothing with any detail. One refusal for a female who had had too much to drink, the time and date were recorded but only the female's first name. At the front of one of these pads was a handwritten consent from Mr. Burvill giving his staff authority to sell alcohol on his behalf which had been signed by a small number of staff members. I then asked about the employment of SIA door staff that Mr. Burvill had offered in our meeting on 6th May. He said that he was still considering this option and they would probably use them if they had any events planned. Mr. Burvill admitted that due to personal commitments he had yet to carry out any staff training, despite being in the role as DPS since the end of February 2016. He told me it was hard to get his staff together at the same time and so I suggested that smaller groups may therefore be appropriate. Personal licence qualifications were discussed and Ms. Bessel and interest in obtaining this qualification.

On Friday 20th May 2016 at 20:30hrs I visited the premises. Mr. Burvill was not present so I spoke



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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

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to the bar manager Mr. Which in relation to an incident that took place away from the premises on Sunday 15th May 2016 but involved two people who had been in the premises immediately before the incident took place. I enquired whether there had been any problematic customers during the evening but Mr. Which did not know. Given that this incident was a domestic fuelled by alcohol and both of those involved were deemed drunk by attending officers I reminded him that it is an offence to serve alcohol to those who are drunk, to be aware of customers' becoming so and also to monitor excess noise as the evening progressed.

On Saturday 28th May and Sunday 5th June 2016 two more incidents took place at the premises (in the review document at points 11 & 12), the first being an assault on an extremely drunken male and the second, an assault on a 17 year old female. On 7th June I sent a text message to Mr Burvill requesting the CCTV for the two aforementioned incidents and the one that occurred on 15th May. A screen shot of the message is contained within the evidence bundle.

On Wednesday 8th June 2016 I was present when PS Vokins made a call to Mr. Brumwell. Mr. Brumwell had not replied to our letter dated the 11th May 2016 and we required confirmation that he had indeed received it. He did not answer his phone but called into the police 101 number a short time later. I contacted Mr. Brumwell and he confirmed to me that he had received our letter on 13th May 2016. He stated that he hadn't replied but it was on his list of 'things to do'. I asked him whether he had considered our request to improve the CCTV and apply for a minor variation. Mr. Brumwell was very vague about this and stated he was still considering it. He asked me to send him a copy of the letter that I had sent to Mr. Burvill on 9th May 2016 for his records, which I did.

At midday on Thursday 9th June 2016 I attended the premises to follow up the CCTV request I had made on the 7th June 2016. On this occasion I was accompanied by a Lewes District Council

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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

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(LDC) Licensing Officer. When we arrived at the premises it was closed but the bar manager let us in. He stated that he, Mr. Burvill and Ms. Barrett were in the basement watching the CCTV that I had requested. We were invited into the basement in order to view the footage ourselves. Once down there we all crowded round a small monitor whilst Mr. Wand Mr. Burvill tried to retrieve the relevant images. I asked Mr. Burvill if these images could be recorded for me so I could collect and view them later. Mr. Burvill replied that he still did not know how to download or record images from his system, despite his assurance during my visit on 13th May that he, Ms. Bear and Mr. Were all able to use the system. He stated the last time he had been asked to provide CCTV footage 'the bloke', who I took to be a CCTV engineer, had done it for him and hadn't shown him how to do it himself. Therefore he was unable to provide any of the three sets of CCTV I had requested. Furthermore it became apparent that the footage was only storing for around 21 days as they were unable to obtain the images from the night of the 15th May 2016 and I could see myself that this date was greyed out as was every date before it. I said to Mr. Burvill that from a previous conversation we'd had I was under the impression that he was able to use his CCTV system fully, which included the downloading and recording of images, and just how important it was. I told Mr. Burvill he needed to get the technician back as quickly as possible to be taught how to use his system and I impressed on him the urgency of this. Whilst we were watching some of the images on the monitor for the incident which took place on the 5th June 2016, the LDC Licensing Officer pointed out to Mr. Burvill that there were a number of people in the rear garden after 23:30hrs who were clearly drinking alcohol out of open vessels with the rear doors pinned back which is a direct breach of the condition on the premises licence that states, 'All outside areas will be cleared of customers by 11:30pm except for use by smokers for smoking without consumption of food or alcohol such to be monitored to prevent noise nuisance. Measures will be taken to ensure that any noise arising from the premises does not cause a public nuisance to

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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 11(T)

premises in the vicinity. Such measures will include ensuring all windows and doors are kept shut during regulated entertainment.' I asked Mr. Burvill if he was aware of this condition and he said "NO". I asked Mr. We whether he knew about this condition and he said "WELL IT WON'T HAPPEN NOW I DO KNOW". The Council officer looked up the licence on her mobile device and read it aloud to all those present. The incident we were viewing took place on 5th June 2016 (referred to the review document at point 12); a female had reported that her 17 year old daughter had been assaulted in the premises during the previous evening. Mr. Burvill told me that a member of staff had told him that the female was underage, so he had asked her for her ID. When she could not produce any, he asked to leave and escorted her from the premises, this despite her having a deep scratch on her forehead which she later told police was bleeding. Whilst viewing the CCTV Mr. Burvill told me that the female involved in the incident certainly didn't come across as a victim and did not tell him that she had been assaulted. He admitted seeing a cut on her head but didn't know whether it was a new injury or not. I would expect any responsible DPS to have looked after any welfare issues of their customers especially if they could see a physical injury. I saw on the CCTV footage at about 01:30hrs that the rear garden was full of people openly drinking and moving freely between the inside and the outside of the premises. This was in spite of the fact that Mr. Burvill was clearly warned in the meeting that took place on 6th May 2016 and the subsequent letter dated 9th May 2016 that he was to fully understand his licence conditions. When I viewed the same CCTV footage again at Bexhill Police Station on Tuesday 23rd August 2016 I noted that at 00:15:17hrs Camera 7 showed a number of people in the rear garden who were not smoking but did have drinks with them. Between the times of 00:15:00 and 00:19:33hrs camera 6 showed at least thirteen people in the rear outside area holding open vessels of what appeared to be alcoholic drinks



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

During this visit I took the opportunity to ask Mr. Burvill whether he had made any progress with joining Pubwatch. In response Mr. Burvill became agitated and annoyed saying "LOOK I FEEL I'M BEING PICKED ON HERE. I HAVE LEFT A MESSAGE FOR THE CHAIR OF PUBWATCH NOW ISN'T IT HER RESPONSIBILITY TO GET BACK TO ME?" I then asked whether any staff training had been carried out yet. I was told that they were currently losing a few members of staff and taking on new ones and when everyone was in place they would get some training together. The LDC Licensing officer gave Ms. B the name of a workbook and a website where she could order some books which could be used for staff training. Mr. Burvill then stated that he was employing Door Staff between 21:00hrs & 02:00hrs on a Saturday night. He could not tell me which security company were supplying the staff, just the name of a male called 'T who supposedly ran the company. During this visit I also took Ion Track drug testing swabs and was accompanied by Mr. Burvill throughout this time. The Ion track machine and swabs are used to indicate the presence of illegal drugs. I have attended a training course on the use of this machine, which was delivered by the manufacturers. I followed the prescribed procedure and was accompanied by Mr. Burvill whilst taking the swabs. Whilst testing areas in the toilets I told Mr. Burvill about places where drugs can be hidden or stored. When I lifted up the cistern in the gents toilets which are situated by the rear garden doors I found five small empty clear drug bags; I recovered these and put them into a separate evidence bag in front of Mr Burvill, who I believe was a little shocked by this.

On 10th June at 12:21hrs I received a text from Mr. Burvill which read, "thanks CCTV man not been yet but will let you no when his been."

On Saturday 11th June 2016 I sent another text message to Mr. Burvill stressing the urgency for him to provide the three sets of CCTV I requested on 7th June by text and again during my visit on

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

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9th June. A screen shot of this text message is contained within the evidence bundle as is Mr. Burvill's reply sent at 00:15hrs on 11th June. On Monday 13th June 2016 the CCTV was collected; however the first incident on 15th May was not available to download as the system had overwritten the footage.

On Saturday 11th June 2016 police received a complaint regarding noise and loud music from The Bay Tree (referred to in the review document point 16). Subsequently I made enquiries with Lewes District Council Environmental Health Department who sent me a copy of the letter they had sent to Mr. Burvill on the 14th June 2016. Copies of these documents are contained within the evidence bundle.

On Tuesday 14th June 2016 at 12:32hrs I received an email from Ms. Because a copy of which is contained within the evidence bundle. In essence the email referred to the employment of door staff from Mark One Security Company, toilet checks and the CCTV system and a few other matters. Although I was not aware at the time of receiving this email, it later transpired on Friday 17th June 2016 that Marc One security were not being used. This was confirmed by the area manager who stated that none of their door supervisors had ever been assigned to the premises.

On Friday 17th June 2016 I obtained the results of the Ion Track drug swabs I had taken in the premises on Thursday 9th June 2016; four out of the six swabs taken showed excessively high readings for Cocaine.

On Friday 17th June 2016 at 22:40hrs I attended the premises with my colleague PC DD361 Deacon. As we walked past the rear garden of the premises the music was very loud and the bass beat could be heard from my office at Seaford Police Station which is situated at the rear of The Bay Tree Inn, separated by one building and two car parks. One male door supervisor was present on the front door and his SIA registration was displayed on his right arm, his name was C

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

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He told me that he was working alone that night but another door supervisor would be joining him the following evening. He went on to say that although he did some work for a security company this particular employment was not through them. I asked what he had been asked to do at the premises and he told me that he was to check IDs, search bags, carry out toilet checks and to make sure no one went outside to the rear garden with drinks after a certain time, though he was not specific about the time. When we walked into the bar the manager was behind the bar and I had to gesture to him that the music was too loud; it was so loud that it was impossible for him to hear us even with both of us leaning over the bar. He then gestured to the DJ to turn the music down which he did. Mr. Washowed PC Deacon and I a hardcover diary which was being used for recording incidents. There were six incidents recorded in fairly minor detail, but did include the incidents on the 28th May, 5th June and 15th June; the toilet check list was blank. Mr. W said the door staff were now checking the toilets and I told him that it was the responsibility of the door staff to complete and sign the check sheets. I suggested leaving the book somewhere where the door staff could have easy access to it. Although Mr. Burvill and Ms. B were having a night off they did speak to us. Mr. Burvill told me that he had now decided to employ two SIA registered door staff on a Friday and Saturday night and that he and Ms. Beactually felt better and safer knowing that they were on duty. When I asked him which company was supplying the door staff he could not tell me despite the fact that the door supervisor had a company name on his jacket. I gave Mr. Burvill the Ion Track drug swab results explaining what they meant; most of the swabs showed high readings for Cocaine and I told him that this indicated that most of the surfaces tested had been in direct contact with a bulk amount of that drug. Having explained the results I gave Mr. Burvill a copy of the Morpho Detection Technology Statement with the relevant sections highlighted. This document gives a full interpretation of drug swab readings. Drinks promotions were discussed and I asked questions regarding the suitability of selling four Jaeger Bombs for £10

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

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in a premises where drunkenness resulting in incidents of violence had occurred. Whilst this may not be deemed to be an inappropriate drinks promotion one of the points I made to Mr. Burvill was that a customer taking advantage of this promotion, could drink all four Jaeger Bombs themselves. I explained that people drinking in rounds tended to drink more than if they were purchasing individual drinks for themselves. I also suggested that a soft drinks promotion could be put into place. Mr. Burvill seemed to accept what I had said. At the request of the investigating officer I asked him for further CCTV from another camera for the incident that took place on 5th June 2016 before PC Deacon and I left the premises.

Between Thursday 23rd June 2016 and Tuesday 5th July 2016 I was made aware of phone conversations between PS CV146 Vokins, Mr. Burvill and Mr. Brumwell and a of meeting that took place between them and Licensing Officer Tony Masters on Wednesday 29th June 2016. The meeting resulted in another letter to Mr. Brumwell that I hand delivered on Friday 8th July 2016 to both his home address and to The Bay Tree. When delivering the letter to The Bay Tree Inn at 22:30hrs I also conducted a licensing check. A new member of SIA registered door staff was present on the front door. His told me his name was Results and he had his SIA registration displayed on his arm. When I checked the registration to take the number I noted that he was permitted to work in the Close Protection sector of security provision. Mr. Less was wearing a security uniform with VIP Security written on it but when I asked him whether he was being employed through this company he told me that this was not the case and that he was being directly employed by the DPS Mr. Burvill. A second SIA registration was also displayed on his arm. He told me that, like Mr. Less he was also being directly employed by Mr. Burvill. I asked them what duties they had been asked to complete at the premises by the DPS, they answered

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

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requesting ID from customers prior to entering, walking the floor, carrying out toilet checks and recording them and making sure that no customers with glasses went into the back garden after 23:30hrs. Mr. Lesshowed me some proforma incident sheets and a toilet check sheet, which he had provided personally and were contained in a new folder which was stored behind the bar. Mr. We gave me a USB stick containing CCTV footage of a very minor, unsubstantiated incident that occurred at the premises on Saturday 2nd July 2016. However, when I viewed the footage it was only five minutes long and did not show anything of any consequence.

On Monday 11th July 2016 at 14:51hrs I received an email from Ms. Best that contained details of door staff, the company they worked for (VIP Security) and the service they would be providing. The email also contained some information about proposed staff training and a possible improvement to the CCTV system. A copy of this email is contained within the evidence bundle. A subsequent check of Companies House showed that VIP Security was in fact VIP Security Solutions Ltd, the sole director was named as Relationary and the company had been dissolved on 3rd March 2015 and was therefore was no longer in existence.

On Friday 15th July 2016 at 22:00hrs I attended the premises again to deliver a letter to Mr Burvill outlining our concerns that he was directly employing door staff without holding the correct SIA non-frontline licence. Under the Private Security Industry Act 2001 it is an offence to employ door staff-directly in this manner. Mr. Burvill would either need to obtain a non-front line SIA licence and the appropriate insurance or employ staff from a company who are licenced to do so. Mr. Burvill had been made aware of this requirement during the meeting that took place on 29th June 2016. During this visit I spoke to the door supervisor Mr. Legenth who told me that about forty minutes prior to my visit an incident had occurred where two males had been ejected from the premises for aggressive behaviour and who had threatened to come back to the premises later. The doorman

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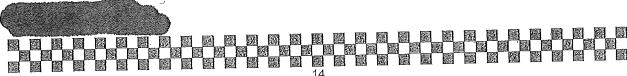
(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B: Criminal Procedure Rules 2005, Rule 27.1

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said that as far as he knew Mr. Burvill was going to report this incident to the police but he did not know whether this had been done. He went on to say that he would do so if Mr. Burvill had not. At the time of my visit the incident sheet had not been completed in relation to this matter. no call was ever received by police from either Mr. Burvill or Mr. L

On Monday 18th July 2016 I attended the premises in order to take a second set of drug swabs. Whilst taking my first swabs at the premises on 9th June 2016 I explained to Mr Burvill that a second set of swabs would need to be done in several weeks in order to make a comparison and to ascertain whether any of the measures he had wanted to put into place had had any effect. When I went into the premises there was one female behind the bar. I introduced myself and asked whether Mr. Burvill was around; she said that he was not. I told her of my intention to re-swab the premises and she said that she had better phone Mr. Burvill first. When I spoke to Mr. Burvill on the phone he was very unhappy that I was back at the premises taking swabs. He asked if it was down to PS Vokins that he was yet again being picked on. He also asked why we were not swabbing other premises within the area. He continued to say that other local premises were having lots more issues and he didn't think that a 17 year old and some minor incidents justified this amount of police attention. I told Mr. Burvill that the incidents that had taken place at his premises were in no way minor and that members of the public were getting hurt, which I took very seriously. Mr. Burvill was obviously upset and angry. However he told me I was to do whatever swabs I needed to. I re-swabbed the same areas that I had previously tested using the same method as before and escorted round the premises by the barmaid at my request. I was unable to take swabs from the toilets on the right of the property as they had been locked due to plumbing issues and the barmaid did not have a key. Some of these swab results were still worryingly high.

On Saturday 23rd July 2016 at 00:32hrs I received an email from PC Daniel CD327 informing me



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

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that he had driven passed the Bay Tree and seen the rear door to the garden open. He saw about ten people in the garden including a member of door staff who was stood in the doorway chatting to customers. A copy of this email is contained within the evidence bundle.

On Saturday 30th July 2016 at 03:59hrs I received an email from PC Crundwell DC701 informing me about a large fight she had attended at The Bay Tree on the same date (referred to in the review document at point 36). She made several observations including that Mr. Burvill was unhelpful in that when one of the males involved in the fight had said to Mr. Burvill "DO YOU THINK I'M DRUNK... WOULD YOU SERVE ME?" to which Mr. Burvill said that he didn't think he was that drunk and would have served him, but that he had to back his staffs' decision, which inflamed the situation even more. A copy of the email is contained within the evidence bundle.

At 11:50hrs on Wednesday 3rd August 2016 I attended the premises to urgently request the CCTV footage from a large fight that had taken place on the 30th July 2016. As Mr. Burvill was not present I spoke to the bar manager. I gave him the details of the CCTV which was required and he told me he would get it done. Whilst at the premises Ms. B came downstairs. I asked her whether any progress had been made on the correct employment of SIA security. Ms. B stated that she thought that Mr. Burvill had sorted it out and that Mr. L and Mr. W were now on the books of Sussex Security. She was able to show me a copy of the contract which had been signed by Mr. Burvill with Sussex Security on the 31st July 2016. I also asked to see the incident sheet from the 30th July 2016. This had been started by one of the SIA door staff Mr. W but had not been completed or dated. I took photographs of the contract with Sussex Security and of the Incident sheet.

On Friday 6th August at 23:00hrs I attended the premises for a licensing check. On the corner of the building left on a window sill was a half empty glass. Believing this to be a safety hazard I

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

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picked up the glass which would have been in clear view to door staff had they been patrolling the premises properly. It would have been in reach of anyone walking by and easily be used as a weapon given the rising levels of drunkenness and violence from the premises. When I turned the corner I saw Mr. Legioldoor staff), Mr. Burvill and Ms. Bestanding at the front of the premises. I handed the glass to Mr. Burvill who said he would deal with it. The incident which took place on the 30th July was discussed. Mr Burvill told me what he had said to one of the males involved, words to the effect of "LISTEN MATE YOUR ONLY SAYING THESE THINGS BECAUSE YOUR PISSED, YOU SEEM LIKE A DECENT FELLA, YOU'VE JUST HAD TOO MUCH" This was in regard to one of the males who was involved in the incident and confirms the fact that the male in question was drunk beyond reasonable behaviour. When I checked the incident book and toilet check sheet for the evening I saw that the incident from the 30th July 2016 had still not been completed and the toilet checks for that night had only one entry at 21:00hrs. The numbers were low inside the premises however the DJ was still playing music at what I would consider to be a loud volume for such a small crowd. I told Mr. Burvill that the toilet checks needed to be signed for after each search and not bulk signed at the end of the night. He agreed. As I left the premises I told Mr. Letthe same thing with regards to accurate and timely recording.

Mr. Burvill gives the impression that he is willing to work with police by nodding in meetings and appearing to agree with our suggestions; but fails to do so. At the conclusion of meetings and during visits he has given undertakings that he will implement changes and put in place measures deemed necessary by police, but does not. He fails to understand how to promote the licensing objectives and this has been demonstrated by the incidents in his premises and his seeming lack of comprehension of the conditions on his premises licence. After giving extensive advice to Mr Burvill over many months I have still had to spend a lot of time chasing him for updates or answers.

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

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Since Mr. Burvill became the DPS I have spent a disproportionate amount of my time dealing with this premises. I have thoroughly examined every incident report and have passed on relevant advice to Mr. Burvill. On a number of occasions I have had to remind him to provide CCTV images because he has failed to provide me with these upon repeated request, which takes up a large amount of time. It has been necessary to task other Police Officers with visiting the premises to check on the issues of drunkenness and disorder. I have personally visited the premises on numerous occasions. I have had to liaise with Investigating officers and help them to follow up their enquiries with the premises. I have spent time putting together a pack of documents, such as crime scene management, posters and a licensing quiz, in order to offer support to Mr. Burvill when he took over as DPS, but he has not used these to help himself in anyway. In my opinion I have spent so much time on this premises that it is having detrimental effect on the other premises within my area of Lewes District.



WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980,	ss.5A(3) (a)	and 5B:	Criminal	Procedure Rules 2	005, Rule 27.1	
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Statement of:	Laura Lou	ise DEACON					
Age if under 18:	O18	(if over 18 insert 'over 18')	Occupation:	Police Cor	istable DD36	51	
This statement (c and belief and I wilfully stated any	make it kn	of 2 page(s) each si owing that, if it is tendere which I know to be false c	gned by me) is t d in evidence, I r do not believe	shall be liab	st of my kno ble to prosec	wledge cution if I	have
Signature		00361		Date	25 th Septer	mber 201	6
Tick if witness ev	idence is v	risually recorded (supply witness o	letails on rea	r)		

At 2000 hours on Friday 17th June 2016 I began my tour of duty at Bexhill Police Station. I was asked to attend SEAFORD to assist PC RUSH DR403 with some visits to licensed premises.

At approximately 2240 PC RUSH and I attended the BAY TREE public house in SEAFORD. I can remember hearing loud voices and music on several previous visits to SEAFORD POLICE STATION and was informed by PC RUSH that the noise was coming from the BAY TREE. I was quite shocked at the level of noise coming from the premises and have also heard the noise from music and patrons when within SEAFORD POLICE STATION.

On arrival there was one member of SIA door staff at the front of the premises. PC RUSH spoke to the SIA door supervisor about his role and remit for the evening. I understand that he informed PC RUSH that he was working alone that evening from 21:00 hrs until 02:00 hrs but there would be a second door supervisor working with him the following evening. He said he had been asked by the DPS carry out ID checks and conduct handbag searches. He had also been asked to carry out the toilets checks and later on in the evening to make sure customers did not go out into the rear garden with any drinks. He stated that he worked for a security company but this particular employment was not through them indicating that he was being directly employed by the DPS Mr. BURVILL.

PC RUSH and I then went inside to conduct a full licensing check. Initially we spoke with a member of bar staff and PC RUSH questioned him about a drinks promotion currently being run at the premises offering 4 Jaeger bomb drinks for £10.00. PC RUSH advised-the-male-member-of bar staff that if one person was to come to the bar and order 4 jaeger bombs, how would he know that all 4 would not be consumed by that person as opposed to being shared amongst friends. He agreed and understood the point that PC RUSH was making.

We were then joined by a female who I now know to be the partner of the DPS, Mr BURVILL and we went to join Mr. BURVILL. PC RUSH explained the recent drug swab results in detail to Mr BURVILL and his partner. The readings were high and PC RUSH explained that such readings could not be attributed to cross contamination but rather, they were the result of the surface tested

Continuation of statement of

being in direct contact with a bulk amount of a narcotic substance. In this case, cocaine.

I cannot recall anything more detailed about this visit. I am able to remember more about further visits due to the notes I made in my notebook. I did not make any notes regarding the visit on the 17th June as PC RUSH took the lead as the premises is on her area.

I conducted further visits to the BAY TREE on the dates below on behalf of PC RUSH.

On Friday 24th June 2016 at 0055 hours, I conducted observations of the BAY TREE. I recall seeing a number of people in the garden (I would estimate 20-30) however could see no obvious signs of anyone drinking alcohol. I did note that the noise levels were elevated but this seemed to be through voices rather than music.

The following day, Saturday 25th June 2016 I attended the premises and conducted a full licensing check. I had already been informed by PC DAWSON DD061 that she had also completed a licensing check at the premises earlier on in this evening. She noted the following;

There were no drinks promotions

The premises was showing only the boxing

The premises was closing at 0100

She also noted that there was one member of door staff at the front of the premises. His name was

CA KILL and his SIA licence number is LP

I attended the premises at 2355 and also noted that there was one member of door staff. I entered the premises to speak with Mr BURVILL who I found to be working behind the bar. He had no issues to report to me. I asked to see the toilet check book. The times of the checks for the previous night had been noted but there were no entries for this evening. Mr BURVILL stated that SIA staff had been conducting toilet checks but that the book was yet to be completed. I advised Mr BURVILL that this needed to be completed. Mr BURVILL also advised me that there had been an incident earlier on in the evening where a male had thrown an object against the wall in the garden after becoming angry. I advised him to document this in the incident book. Mr BURVILL did not seem overly concerned about this incident and described it in a matter of fact manner.

I would estimate that there were approximately 60-80 persons present at the time of my visit. I did not see any signs of intoxication that would warrant ejection or refusal of service. I observed SIA staff monitoring the rear garden and no patrons appeared to be drinking alcohol in the rear garden.

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Signature witnessed by:



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and	is statement (consisting of 2 page(d belief and I make it knowing that, if it fully stated anything in it, which I know to	is tendered	gned by me) is d in evidence, r do not believe	l shall l	oe liable	of my kr to pros	nowledge ecution if	1 have
Sigi	gnature:				Date 2	26.09.20	16	
	ck if witness evidence is visually recorded m a Police Officer with Sussex Police and	1 1 '	supply witness on with the serv			s. My cur	rrent role	which I
hav	ve held for nearly three years, is as a ne	ighbourhoo	od licensing off	icer wit	hin the "	Safer Ea	ıst Sussex	x team'
cov	vering the Wealden area. I also hold a n	ational cer	tificate, having	passec	the B1	1AB Lev	el 2 for lic	ensing
pra	actitioners.							
l al	also regularly assist colleagues with issu	es within t	their areas. Du	iring the	e past fe	∍w mont	hs, I have	e been
req	quested to assist the officer who covers th	ne Lewes a	area, PC DR40	3 Hann	ah RUSI	Ⅎ.		
l ar	am fully aware The Bay Tree Inn Public	House in	Seaford is cur	rrently (under so	rutiny b	y Sussex	: Police
lice	ensing unit and as such, below is a list of	the visits I	have made to	the pre	mises.			
l vi	risited The Bay Tree Inn in Seaford on T	uesday 21	st June 2016.	The vis	it was m	ade at 2	22.00 hou	irs, and
the	e purpose was to hand deliver a letter to	the premis	es licence hold	ler Mr.	Steve Br	umwell,	however	he was
not	ot present at premises. I understand that t	he letter w	as from PS CV	/146 VC	OKINS re	∍questin _!	g Mr Brun	nwell to
	ake contact with him within 7 days.							
l e	entered the premises with my colleague F	C CP300 I	PAUL. The pre	mises v	vas fairly	busy w	ith approx	dimately
50) person's present. There was a small T\	/showing	the European F	ootball	Champ	ionships	and man	y of the
pa	atrons appeared to be drunk. Several cus	stomers we	ere very loud, n	naking	commer	its as my	y colleagu	ie and I
en	ntered, such as 'here is the cabaret, and	i 'what are	e they doing he	ere, it w	as him	arrest hi	im'. I igno	ored the
co	omments. Having been a Police officer fo	r 14 years	and specifically	/ assigr	ed to th	e licensi	ng unit re	cently, I
be	elieve I am qualified to recognise persons	who are d	lrunk.					
To	o clarify, as an officer on the Licensing To	eam, the is	sue of drunk c	ustome	rs in a p	remises	is someth	ning that
١v	would ordinarily address at the time that I	witnessed	it, with the rele	evant Li	censee.	From ex	(perience	this can

Continuation of statement of

lead to quite a lengthy discussion as I would typically remind Licensees that it is a criminal offence to serve alcohol to someone who is drunk and would also remind them of the need to promote the Licensing objectives under the Licensing Act 2003. Unfortunately, on the date of this visit I was specifically assigned to a Policing Operation, and had been given permission to attend the premises, however supervision required me to leave the premises promptly and attend a different location within East Sussex to continue with the Operational commitment. The letter was left with the bar staff. I also delivered a copy to Mr. Brumwell's home address shortly after, before then returning to the aforementioned operation.

On 2/7/16 at 23.00 hours I attend the premises in the company of A/PS CS509 SMITH. Again, this visit was part of Op Wagtail, which required officers to attend licensed premises during the European Championships. On my arrival at the premises I was greeted by a large black male who was working as the doorman. He stood in front of the door and did not appear to be particularly keen on letting me pass. I could hear the music from the 'disco' was very loud, even from outside, and I could see a few people dancing. I went into the premises past the doorman and made my way to the far end of the bar. I was then called outside to join my colleague, who was speaking a member of staff, who I now know to be Glen Burvill, the designated premises supervisor. I discussed the noise from the disco, and also asked the doorman, who had joined us, if there was any policy in place regarding entry, as I felt some of the customers appeared young. I was told there was, and there was a refusal/incident book behind the bar, however there was nothing in it as Mr. Burvill stated that they "don't have any problems at the premises."

There were in the region of 40 persons present and several appeared drunk. Glen Burvill did not agree persons were drunk, stating in his opinion, they were in good spirits rather than drunk.

On the 10th August 2016, at 22.00 hours, I was asked to attend the Bay Tree Inn again to hand deliver a letter. On this occasion the premises was virtually empty. I delivered the letter and a copy to Mr. Brumwell's home address.



Signature witnessed by: