

NOKIA

From Glen Burvill

09:52

All done it here when
you want to pick it up

Received

00:15:51

11-06-2015

From

Glen Burvill

+447919282483

Options

Reply

Back

Evidence relating to
Paginated page 17:

Email Dated:

Tuesday 14th June 2016

1 X Email

Rush Hannah DR403

From: C [REDACTED] B [REDACTED] <[REDACTED]@gmail.com>
Sent: 14 June 2016 12:32
To: Rush Hannah DR403

Hi hannah

It's C [REDACTED] from the bay, just to update you on certain issues, we have burnt the cctv footage onto a dongle for you which we gave to a pc, we also have doorman on a Friday and Saturday evening which started the weekend of the 10th June 16. They are with mark 1. We are also checking the toilets more frequently and all our staff have been told this too. Also there is no more drinking outside after 11.30 as you asked. We have also moved the seating area in the garden and made it more clearer on the camera if drugs are being used this would eliminate that. We also spoke with the cctv guy and he will come and change that camera for us in the smoking area so it can't be moved. Also a security light will go up in the garden so it isn't so dark. Staff training will start I think in the next 2 weeks as we are still waiting on the books that I'm ordering and to see which staff are staying perminatley.

Many thanks C [REDACTED]

Evidence relating to
Paginated page 18:

Licensing Visit

Friday 17th June 2016

1 x Investigator's Note
Book Extract

Referenced in statement
of PC Rush (2)

TSUS 7 CVS



INVESTIGATOR'S NOTE BOOK

02157 3466 - 5th July



Issue Number: 42919

PC RUSH DR403

Name: LICENSING

* WRITING UP MORE ON THE THREE NEW CRIME REPORTS.

OEL'S X3. TASK TO SGT V X3.

19:45- BAY TREE SWAB RESULTS.

GENTS RIGHT = 4.69 COCAINE

LADIES RIGHT = 5.59 COCAINE

LADIES GARDEN = 4.55 COCAINE

GENTS GARDEN = 4.87 COCAINE

BAR = 1.53 COCAINE

POOL TABLE = 1.94 COCAINE.

INNKEEPER UPDATE AND UPDATE REVIEW DOCUMENT.

NEW INCIDENT [REDACTED] 15/6/16. [REDACTED]

CCTV REQUESTED ON: 16TH JUNE @ 09:09 W/S VIA TEXT.

"AT 19:15 TODAY STAFF INFORMED GLEN THAT ONE FEMALE GRABBED ANOTHER ROUND THE NECK AND HAS SCRATCHED HER" VICTIM O [REDACTED] T [REDACTED]

SUSPECT K [REDACTED] T [REDACTED] - ASKED TO LEAVE.

21:30 - STU ON BAY TREE REVIEW. HOWEVER DURING VISIT TO CHECK

◦ INCIDENT BOOK FOR: 28TH MAY ([REDACTED]), 5TH JUNE 17YR OLD, 14TH JUNE NOISE, 15TH JUNE GRIEVANCE.

◦ DRUG RESULTS:

7TH MAY ASKED TO LEAVE

◦ CCTV FOR 15TH JUNE

14 HANDS IN RIGHT.

◦ CCTV FRONT FOR 5TH JUNE ✓

28TH BACK PCL

◦ LIGHT IN THE GARDEN?

29TH MAY 6 [REDACTED] 7 [REDACTED]

◦ AGE FOR CAMERAS?

5TH JUNE 2600S

◦ TOILET CHECKS SHEET.

15TH JUNE 2 FEMILES.

STOPPED REVIEW UPDATE ON VISIT 9TH JUNE.

22:45 VISITS.

SIA O [REDACTED] K [REDACTED] 0130 [REDACTED]

ON HIS OWN TONIGHT. 2 TOMORROW. SEARCHING TOILETS. NO ADMITTANCE TO U18'S. 2100-0200.

WORKING THROUGH GLEN. NOT MARK ONE.

TOTAL SECURITY.

R [REDACTED] G [REDACTED] ON DUTY. INFORMED ABOUT NOISE.

GLEN NOT ON DUTY. CCTV COLLECTED.

Evidence relating to
Paginated page 19:

Incident No 20 dated:
Saturday 18th June 2016

1 x Police Statement
Referenced in statement
of PS Vokins (1)

WITNESS STATEMENT

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

URN

Occurrence Number: 47160080721

Statement of: PAUL BRIDGER

Age if under 18: Over 18 *(if over 18 insert 'over 18')* Occupation: Police Constable

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature:  #CB701 BRIDGER, P.

Date: 18/06/2016 03:20

Tick if witness evidence is visually recorded ☐

Tick if witness evidence is visually recorded (supply witness details on rear)

At approximately 01:30 hrs on Saturday, 18 June 2016 I was on duty in full uniform in SEAFORD. I was in a marked Police vehicle answering to the Call sign EL104 and was accompanied with PC BANKS, CB032. We were immediately outside the entrance doors, in the [REDACTED] located at [REDACTED] SEAFORD, EAST SUSSEX, BN20. Immediately inside the entrance doors there is a table and foyer area prior to the main section of the [REDACTED]. This foyer is where the Door staff conduct any appropriate searches. I am aware that the [REDACTED] regularly conduct searches as a condition of entry to the [REDACTED]. Whilst I was outside I was beckoned within the foyer due to door staff searching a male and locating a small Press Seal Bag containing white powder. I saw that the door staff were with a male whom I now know to be PC MARK W [REDACTED], DOB: [REDACTED]/[REDACTED]/1990. I was informed that the suspected drugs were recovered from the front jean pocket of W [REDACTED]. At this time I CAUTIONED W [REDACTED], But he made no reply. I asked him what the white powder was and still he made no reply.

I took possession of the suspected drug and placed it into a tamper proof Evidence bag numbered M [REDACTED]. I sealed this bag and I can produce this as my exhibit marked PB/01 (Exhibit No. [REDACTED]).

Whilst I was carrying out a PNC check on the male PC BANKS remained with W [REDACTED] and door staff. PNC revealed that he had two previous offences recorded against him. Both of which were for the possession of Class A Cocaine.

At approximately 01:40hrs I said to W [REDACTED] "I am arresting you on suspicion of possessing a Class A drug which I suspect to be Cocaine". Again I CAUTIONED him and he still made no reply. I explained to him that his arrest was necessary for the Prompt and Effective investigation in that it was necessary to interview him about the offence which could not be immediately done due to his intoxication. Furthermore there was a need to complete a thorough search of his person for further drugs.

Police incident SXP-[REDACTED] refers.

W [REDACTED] had no previous violent offences and was calm and compliant with us and as such I decided that I would not handcuff him. He was escorted to our Marked Police Vehicle and placed in the rear near seat. PC BANKS accompanied him in the rear of the vehicle and he was transported to EASTBOURNE IDHC. I explained the circumstances of the offence and the arrest to the Custody Officer and his detention was authorised.

This statement consists of my original notes made immediately afterwards whilst at EASTBOURNE IDHC at 0300hrs.

Evidence relating to
Paginated page 20:

Letter Dated:

Tuesday 21st June 2016

1 X Copy Letter

Referenced in statement
of PS Vokins (1)



Sussex Police
Serving Sussex

www.sussex.police.uk

Licensing Department

21st June 2016

Mr. Steve Brumwell,

Dear Premises Licence Holder

The Bay Tree, Pelham Road, Seaford.

I write to you in your capacity as Premises Licence Holder for the above named premises. We first wrote to you on the 11th May requesting a minor variation to your Licence regarding CCTV and concerns regarding the conduct of the premises. We had no contact from yourself until 8th June when a voicemail was left for you by Sgt Vokins. To date no minor variation has been submitted. We now urgently request a meeting with yourself to discuss this variation and our continuing concerns regarding the running of the premises. We would like this meeting to take place within the next seven days. Please call to arrange this at your very earliest convenience.

Yours sincerely

Sgt Denham Vokins CV146
Lewes District Licensing Officer
Mob: 07825674590

Evidence relating to
Paginated page 21:

Meeting on
Wednesday 29th June
2016

Meeting Minutes

Rush Hannah DR403

From: Vokins Denham CV146
Sent: 06 July 2016 12:24
To: Rush Hannah DR403; Wolfe Catherine 60498
Cc: Freeman Sylvia 30937
Subject: Notes from Bay Tree meeting with SB and GB - final version

Minutes of Meeting: Bay Tree

Date: Wednesday 29th June 2016

Venue: Seaford Police Station

Present:

PS Denham Vokins (DV) Licensing
Anthony Masters (AM) Licensing Officer
Glen Burvill (GB) – DPS of premises
Steve Brumwell (SB) – Personal Licence Holder
Sylvie Freeman (SF) Licensing Clerk (minutes)

Prior to formal introductions being done at the start of the meeting AM introduced himself to SB who immediately asked AM if he had a business card and how many years he had been a Licensing officer for.

Meeting commenced at 11:10. DV explained the purpose of the meeting had been arranged to discuss the recent serious incidents and to discuss letters sent to both GB and SB and the meeting that GB had had with S [REDACTED] Licensing Officer from Lewes District Council.

DV went through the incident on the 14th March which was an ABH when it had been noted by the police that the bar staff didn't realise why the statement made by the suspect would be offensive. In response SB stated some people may be offended and with others it would be water off a ducks back. He also said that in the spur of the moment some people are going to say this. SB said "so it's ok to say c... but not n.....".

GB said the suspect was not allowed anymore in the pub and people told him the suspect was on Pubwatch. He told the suspect he was not to come in. DV stated it is a condition on the licence to join the Pubwatch scheme and asked GB what he had done to join the scheme. GB stated that he had tried to phone to get onto Pubwatch and to join but there had been no response. It was then explained by DV to both GB and SB how Pubwatch is set up and how to join Pubwatch. SB said he didn't think there was a Pubwatch. DV said he will find out if Pubwatch still exists. DV confirmed that Pubwatch has existed for the majority of the time since GB took over as DPS. He pointed out again that during that time GB has only made one attempt to join the scheme and reminded him that it is a condition on the premises Licence. DV said if Pubwatch is no longer operating in Seaford that change would have only come about within about the past 2 weeks.

DV then referred to the incident on the 8th May 2016. GB stated that the victim was not drunk but that the victim had had an accident years ago and had been brain damaged. DV said he would look into this. DV explained to GB that he must co-operate and he must ask his customers to co-operate. DV said that if GB knew the victim was brain damaged that would make him more vulnerable and he would expect GB to do more to look after the victim. DV asked GB if the victim fell over as he had

maintained to Police, or if he was assaulted, GB confirmed the victim had been assaulted and said he had viewed it on the CCTV in the premises. DV said he would expect the DPS to promote a positive attitude towards the Police within the premises and gave the example that as there were only a few customers present in the premises at the time of the assault he would have expected the DPS to encourage anyone who witnessed the assault to assist Police by telling them what they saw and providing statements. GB replied that he didn't think that was down to him. DV asked if that was compatible with the requirement for a DPS to promote the Licensing objectives, neither GB nor SB replied. DV asked SB and GB if they are both Personal Licence holders, they confirmed they were.

AM then asked GB and SB what the licensing objectives are. SB didn't answer, & GB said you are not allowed to sell alcohol to children. SB referred to the above incident and said that since the victim didn't want to pursue they didn't bother either. He said if he was the victim of a crime he would pursue it and not stop.

DV then went through the licensing objectives and said that he didn't see that SB and GB were supporting this. DV stressed the licensing objectives. GB said that he was more worried about the victim (incident on 14th March). GB stated that he had given the CCTV footage to PC Rush about a week after the incident. GB stated he had tried to find out what had happened by asking people but the assault was in the garden and the accused cannot be ID'd from the CCTV.

DV stated on the 6th May there was a meeting with GB, DV and PC Hannah Rush, (HR), wherein various actions were given.

On the 13th May PC Hannah Rush visited the premises and GB had still not joined Pubwatch. DV asked SB if he was aware of all of the incidents that had occurred at the premises and SB said that he sees GB on a regular basis and stated "we have to move forward and get the barred people out". SB said to GB to get himself on Pubwatch. SB said there had been no trouble for the last 2 years, there were 2 incidents and that problems occur and to move forward.

DV then discussed more incidents that had occurred at the premises since he and HR had met with GB on 6th May.

DV said that on 15th May, 2 people had spent the evening at the premises and a fairly short time after they left one allegedly assaulted the other, Police were called and one of the individuals was arrested for assault. DV said that the Police officers who attended the incident said that both the victim and the suspect were drunk. DV reminded GB that in the meeting on 6th May he and HR had pointed out the possible repercussions of allowing people to get drunk in the premises as incidents may occur involving those people after they have left. SB asked for more details about the incident, DV said he couldn't provide any further information about it as it had not occurred at the premises and the details of it were not known to SB or GB or in the public domain.

DV discussed an incident that occurred on 28th May in which a male who had a head injury was located outside the Shore Bar, he had been involved in an altercation in the Bay Tree. DV said the victim had refused to go to hospital on the advice of Sussex Ambulance and refused to provide any details to Police, officers had noted that the male was highly intoxicated. GB initially said that this had not been much of an incident in the Bay Tree. He then said he was "being stitched up"; he said the male had just come out of prison, had tried to throw a punch at someone and so had to be removed from the pub by a couple of people. He then started kicking the front door so that it had to be locked from the inside and people had to be moved to the rear of the pub. GB said no ambulance was needed as there were no injuries on the male. GB asked if the incident occurred at The Bay Tree why did the ambulance go to [REDACTED]; he said someone could have been lying on the floor in the Bay Tree dying and Police did not attend. DV told GB

Police and Ambulance did not attend the Bay Tree because staff there had not phoned them. DV said an injured male was seen on CCTV outside the Shore, hence Ambulance and Police would have attended that location. GB said staff from the Bay Tree did not phone for Police or Ambulance as they felt that nothing had happened in the pub. DV reminded GB that in the meeting with GB, HR and DV on 6th May they had told GB he must Phone Police about incidents. GB said he was on holiday at the time of this incident and a member of staff who had been trained by GB was running the pub. The training consisted of GB telling him to call the police if there any incidents.

AM then explained scene protection to GB and SB. SB questioned what happens if a glass is thrown and smashed do they need to call the police? It was then explained to GB by AM the need for scene protection and that they must call the police and ambulance if anyone is injured. Referring to the incident on the 28th May GB said he doesn't allow banned people in. DV went over the incident on 28th May and asked how long had the suspect been in the pub? SB said we know the known entities. GB then explained again that the suspect had been asked to leave, he had stopped being served and was getting aggressive. DV then asked the question - Whose problem is he after he leaves the pub? SB stated it was theirs. DV said it was the Police's problem and said that as the male was drunk and aggressive he could have assault MOP's. DV said when Licencees get it wrong they get it wrong.

Referring to the incident dated the 5th June which was an alleged assaulted on the 4th June 2016. GB explained that he had been through the CCTV with PC Hannah Rush and saw the girl on the footage but saw no assault. GB had asked the girl to leave and she went storming out. DV said the incident was between 1230 and 1am in the garden, she was in the pub for some hours and got assaulted. DV asked if she had any alcohol. GB said no, she had just gone into the garden. GB was then asked about proxy sales and SB asked GB what proxy sales were and GB told him it was when someone else was buying. GB explained that he and PC Hannah Rush had checked the CCTV covering the toilets etc and there was nothing showing an assault. The victim had just left and there was no assault on the CCTV. He confirmed that she had a scratch and was asked for ID. She was then asked to leave. DV then asked GB where the suspect was and he was told the suspect had been sitting by the door. DV asked GB - Why didn't you call the incident in and GB said it was nothing, just an argument. GB had asked for ID and then asked her to leave. DV explained that GB suspected she was underage and she was potentially a victim. GB explained he had asked other people in the pub about the incident and had been told that both girls don't get on and it was just an argument. DV asked why the accused didn't get ejected. SB said we don't get so much trouble as other pubs. I don't like calling in for nothing. I don't want to waste police time. DV repeated that they must call police and the police can then decide what to do. DV said that this obviously seemed to be an incident to the victim and her mother as the mother had bothered to report it to Police the following day.

AM asked GB and SB do you see calling the Police as a positive or a negative? SB replied— negative really. AM stated that the police record it and it then shows that you are promoting the licensing objective. GB replied that he had learnt his lesson. AM – It is a positive to ring police for any incident. SB asked if they have to call every time. GB said I will do this and I have messed up and that PC Hannah Rush had told him to report it. DV said they must complete the refusals log and incident log book. SB asked if anyone had been charged over the incident and DV said he could not say as it was confidential. SB explained procedures years ago and DV told GB and SB that they must phone everything in which is an incident.

DV then referred to the CCTV condition referred to in the letter of the 8th June. SB told DV he was away at that time however C [REDACTED] had confirmed to DV that SB knew of the letter. SB stated he was certainly told about the day to day running of the premises. SB stated in the meeting that he is generally out of the country for 5 months but at the end of a phone at any time. GB spoke with HR on 8th June. SB said he had it in mind to do. 9th June – DV mentioned to GB about the meeting with S [REDACTED] L [REDACTED] and it was established

that customers must not take drinks out onto the pavement. GB confirmed that they are aware of the licence condition about drinking outside and confirmed that their closing time is 1am. There is CCTV footage of the breach of the licence and DV suggested that as GB had not been aware of the condition re no alcohol consumption outside after 23:30 hrs then he had regularly been breaching this condition until recently, GB agreed.

DV informed GB and SB that on the 17th June ION track readings were taken. DV went on to explain the ION track procedure. The results were read out to GB as follows:-

1.94 cocaine pool area,
Gents toilet right cocaine 4.69;
Female toilet right cocaine 5.59;
Female toilet garden cocaine 4.55;
Gents toilet garden cocaine 4.87

DV stated there is a significant drug problem. SB said you will get this in every pub. DV said there is no confidence in the premises. GB asked how they can find out about drugs and it was explained by DV that results are normally obtained from the top of the cistern. DV suggested they get suggestions from the web and stated the police don't tell them what to do but offer advice. DV suggested they look on pubwatch advice.

GB stated we have to move forward.

SB stated GB must stop incidents, trying to ring police with incidents, certainly not to go backwards.

DV said they should avoid incidents occurring in the first place and told them if they move backwards they will be going to a review. They were then asked about door staff. GB stated they are using door staff from [REDACTED]. The staff had been working for Mark 1 and he now hired them himself. DV asked GB if he had an SIA Licence, he said he didn't

AM then explained SIA procedure. They should get door staff from a recognised door staff company or get the DPS trained as a door supervisor. DV explained in house door staff. DV also said they should have liability insurance for in house door staff. DV asked if the door staff's badges are legitimate. GB said that they always wear badges. He will arrange to check the badges to make sure they are legitimate. The SIA had been working round [REDACTED] and always wear badges. GB stated he spoke to PC Hannah Rush and knew [REDACTED] and [REDACTED] know Mark 1. I said there was a bit of trouble about A [REDACTED]. DV asked - What do you do? GB stated they look at ID, they check the toilets every ½ hour. If they find anyone they call the police.

AM asked if there was any searching by door staff? SB and GB unaware that door staff could search customers. AM if they employ door staff they are legally entitled to search people as they come in.

DV & AM wrapped up the meeting and stated that they need to decide a stance of the premises. They also said they wanted SB and GB to decide what changes and plans they were going to bring about in the premises to reduce the incidents of crime and disorder and promote the Licensing objectives.

SB responded that that seemed reasonable.

AM said they would discuss other measures, for example a variation on the premises Licence. AM explained they should have efficient CCTV and discussed the matter and confirmed that a day 28 day CCTV camera is ok.

GB said he would speak to an engineer to get a 28 day CCTV camera arranged.

The mobile phone numbers of SB and GB were given in the absence of PC Hannah Rush for ease of reference.

Mobile phones numbers:-

SB - [REDACTED]
GB - [REDACTED]

End of meeting @ 1.20

Sgt Denham VOKINS CV146

Alcohol Harm reduction Unit / Safer East Sussex Team

Hammonds Drive,
Eastbourne, BN23 6PW.
Tel: 101 extn 67312
Mobile: 07825 674590
www.safeineastsussex.org.uk

The Safer East Sussex Team is on Twitter! Follow us @SaferEastSx

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