



WORTHING BOROUGH
COUNCIL

24 October 2017

Licensing and Control Committee B

| | |
|---------------|---------------------------------------|
| Date: | 02 November 2017 |
| Time: | 6.30pm |
| Venue: | Gordon Room, Stoke Abbott Road |

Committee Membership: Committee Membership: Councillors Paul High (Chairman), Sean McDonald (Vice Chairman), Noel Atkins, Paul Baker, Keith Bickers, Callum Buxton, Edward Crouch, Lionel Harman, Joshua High, Susan Jelliss, Jane Sim, Bob Smytherman, Steve Wills, Paul Westover, Tom Wye

Agenda

Part A

1. Declarations of Interest / Substitute Members

Members and officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

If in doubt contact the Legal or Democratic Services representative for this meeting.

2. Confirmation of Minutes

To approve the minutes of the Licensing and Control Committee B meetings of held on the 18 September 2017 and 2 October 2017, copies of which have been previously circulated.

3. Public Question Time

To receive any questions from Members of the public in accordance with Standing Order 11.2

(Note: Public Question Time will operate for a maximum of 30 minutes.)

4. Licensing Act 2003 - Application for the Review of the Premises Licence under Section 51

To consider a report by the Director for Communities, copy attached as item 4

Part B - Not for publication - Exempt Information Reports

| | |
|--|--|
| For Democratic Services enquiries relating to this meeting please contact: | For Legal Services enquiries relating to this meeting please contact: |
| Chris Cadman-Dando Democratic Services Officer 01903 221364 chris.cadman-dando@adur-worthing.gov.uk | Ruth Pallister Solicitor 01903 221050 Ruth.pallister@adur-worthing.gov.uk |

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.



Licensing Act 2003
Application for the Review of the Premises Licence under Section 51

One Club
31 Chatsworth Road, Worthing, BN11 1LY

Report by the Director for Communities

1. Recommendation

- 1.1 That the full Licensing & Control Committee "B" considers and determines the application from:

Sussex Police

for a Review of the premises licence at the above venue under section 51 of the Licensing Act 2003.

2. Reasons for the Hearing

- 2.1 An application for a Review of premises licence No: LN/000001196, held by

Peter Mott & Barry Wells T/A The Lounge Leisure Group

has been received from Chief Inspector Ockwell on behalf of the Chief Constable of Sussex Police. The Police being a Responsible Authority as defined under the Act.

- 2.2 Worthing Borough Council is the Licensing Authority that granted the above licence and it therefore falls to members to determine this application.

3. Background

- 3.1 Premises Licence no. LN/000001196 covers the One Club and authorises the sale of alcohol, the provision of regulated entertainment and the sale of late night refreshment. It has been held by Peter Mott & Barry Wells T/A The Lounge Leisure Group since the introduction of the Licensing Act 2003 in November 2005.

- 3.2 The One Club is one of two separate venues owned by Peter Mott & Barry Wells. Both premises are situated in a large multi storey, multi use building, Chatsworth House, situated in Chatsworth Road. The One Club is situated on two floors of the building. Entry to the club is at the west side of the building

via a staircase to the first floor. The main area of the club occupies the majority of the first floor and operates primarily as a nightclub. Their other venue 'Molotov Cocktail & Vodka Bar' is situated on the east side of the building on the ground floor and operates primarily as a bar. The two premises are linked physically by an interior staircase and share infrastructure but operate as separate businesses under separate premises licences.

- 3.3 In the past and somewhat unusually the Molotov' bar under its previous name, 'Retro', when closed in the evening had authority under its premises licence allowing it to be incorporated as part of the One Club letting it re-open as an extension to the nightclub accessed and exited only from the staircase leading down from the first floor nightclub. The bar has been refurbished at the beginning of this year and this arrangement is no longer utilised.
- 3.4 As a result applications for the variation of the One Club's licence (LN/1000001196) and the 'Molotov' bar's licence (LN/100001195) were received by this authority on 14 July 2017 seeking removal of a number of conditions from both licences including those allowing the linking of the nightclub with the bar. These applications were due to be heard on 18 October 2017 but the applications were suspended at the request of all the parties to allow subsequent applications to be considered.
- 3.5 Mr Barry Wells was the Designated Premises Supervisor (DPS) of the One Club and Molotov Bar and was in post between February 2013 and July 2017. He holds a Personal Licence issued by Worthing Borough Council.
- 3.6 On 14 July Messrs Mott & Wells applied for a DPS variation (under section 37) at the premise removing Mr Wells and nominating Mr James Lanz, the General Manager, as DPS. Mr Lanz holds a Personal Licence issued by Worthing Borough Council.
- 3.7 On 26 July 2017 Sussex Police made application for a Review of Molotov's premises licence. The application was considered by the Licensing & Control Committee B on 18 September 2017 and the committee resolved to revoke the licence as requested by Sussex Police in the application. That decision is subject to an appeal to the courts. The premise may continue to trade until such time as the appeal is disposed of by the court.
- 3.8 This Review application made by Sussex Police regarding One Club's premises licence was received on 8 September 2017.
- 3.9 In the past this licence was the subject of a Review application made by Sussex Police in November 2012. That application was successfully mediated and this Committee resolved at hearing on 23 January 2013 that a mediated agreement reached between the applicant and the licence holders be approved. This included the replacement of the then DPS and a number of new conditions of licence were imposed.
- 3.10 Sussex Police made objection to both the variation and the variation of DPS applications detailed above (made 14 July) whilst the review applications were pending.

3.11 On 6 September 2017 new DPS variation applications were received from Messrs. Mott & Wells nominating Mr Vinojan Vijayakumar as the new DPS of both One Club and Molotov with immediate effect. Mr Vijayakumar holds a Personal Licence issued by Worthing Borough Council. Sussex Police initially objected to this appointment but have since withdrawn their objection to Mr Vijayakumar taking the role of DPS at the One Club after mediation.

3.12 A plan of the area is attached. (Appendix A)

3.13 A plan of the premises is attached. (Appendix B)

3.14 The application is for a review of the licence due to representations made regarding the following licensing objectives:

- Prevention of crime & disorder
- Public Safety
- Protection of Children from Harm

The application is attached. (Appendix C)

3.13 The current Premises Licence allows:

a) Sale of alcohol between:

19:00hrs and 02:00hrs, of the following morning, Monday to Wednesday

19:00hrs and 02:30hrs, of the following morning, Thursday

19:00hrs and 03:00hrs, of the following morning, Friday

19:00hrs and 03:30hrs, of the following morning, Saturday.

b) Provision of regulated entertainment:

19:00hrs and 02:00hrs, of the following morning, Monday to Wednesday

19:00hrs and 03:00hrs, of the following morning, Thursday & Friday

19:00hrs and 03:30hrs, of the following morning, Saturday.

c) Provision of late night refreshment:

23:00hrs and 02:30hrs, of the following morning, Monday to Wednesday

23:00hrs and 03:00hrs, of the following morning, Thursday & Friday

23:00hrs and 03:30hrs, of the following morning, Saturday.

d) Hours the premise can open to the public:

19:00hrs and 02:30hrs, of the following morning, Monday to Wednesday

19:00hrs and 03:20hrs, of the following morning, Thursday & Friday

19:00hrs and 03:50hrs, of the following morning, Saturday.

(Appendix D)

3.14 Copy of the documentation received in support of the Police's application is attached. (*awaiting submission*) (Appendix E)

3.15 Copies of documentation received in support of the licence holder are attached. (*awaiting submission*) (Appendix F)

- 3.16 A copy of a representation received from a Responsible Authority, West Sussex Public Health, support the application is attached. (Appendix G)

4. The Application

- 4.1 The Application for Review is attached at Appendix C.
- 4.2 The application is made on behalf of Sussex Police a responsible authority as defined in the Section 13 of the Act.
- 4.3 The applicant has included detailed information in the application supporting their case that the licence holder is undermining the Licensing Objectives:
- Prevention of crime & disorder
 - Public Safety
 - Protection of Children from Harm

Sussex Police are requesting that members consider revocation of the licence.

5. Promotion of the Licensing Objectives

- 5.1 The Licensing Act 2003 and regulations require that the Council, as local licensing authority, carries out its functions with a view to promoting the four licensing objectives:
- the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance;
 - the protection of children from harm.

According to the Home Office Guidance each objective is of equal importance. It is important to note that there are no other licensing objectives, so that these four objectives are paramount considerations at all times.

- 5.2 In carrying out its licensing functions, the licensing authority must also have regard to Guidance issued by the Home Secretary and its own Statement of Licensing Policy. Members are advised that the following sections of the Worthing Borough Council's Policy may be particularly relevant to consideration of this matter, though of course the Policy in its entirety must be considered. Sections indicated relate to paragraph numbers in the Policy itself:

Prevention of crime and disorder

- 4.2 *The Council places huge importance on the prevention of crime and disorder. A high standard of control is, therefore, expected to be exercised over licensed premises.*
- 4.3 *In accordance with Section 17 of the Crime and Disorder Act 1998 the Council is under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent, crime and disorder in its*

areas. The possible crime and disorder implications are clearly relevant factors in the consideration of all applications and this is re-emphasised by the Licensing Act 2003 itself, the Guidance issued under section 182 to the Act and this policy. The Council will give "due regard" to all possible implications and its Licensing & Control Committee will always consider all the information available and relevant representations made, including those from interested parties and the responsible authorities, particularly the Police.

- 4.4 In their role as a responsible authority, Sussex Police are an essential source of advice and information on the impact and potential impact of licensable activities in the borough, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and usually have good working relationships with those operating in the local area. The council recognises that Sussex Police are the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder, but may also be able to make relevant representations with regards to the other licensing objectives if they have evidence to support such representations. The Council will accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.
- 4.5 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems. The Council will expect Operating Schedules to satisfactorily address these issues from the design of the premises through to the daily operation of the business, including, where appropriate, the arrangements proposed in respect of prevention of both alcohol and drug misuse.
- 4.8 In addition to the requirements for the Council to promote the licensing objectives, it also has a duty, as detailed in para. 4.2, under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough. The Council will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder within the vicinity if relevant representations are received. Whether or not incidents can be regarded as being in the vicinity of licensed premises is a question of fact and will depend on the particular circumstances of the case."

Public Safety

- 4.11 The 2003 Act covers a wide range of premises that require licensing, including, cinemas, concert halls, theatres, nightclubs, public houses, hotels, cafes/restaurants, shops and fast food outlets/takeaways.
- 4.12 Each of these types of premises present a mixture of risks, with many common to most premises and others unique to specific operations. It is essential that premises are constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.
- 4.13 The Council also recognises that the provision of live music, discos and dancing within a premise can lead to potential flashpoints for violence and disorder. The Council would expect all entertainment to be properly risk assessed in the Operating Schedule to ensure public safety.

- 4.14 *Where an applicant identifies an issue in regard to public safety (including fire safety) which is not covered by existing legislation, the applicant should identify in their Operating Schedule and Fire Risk Assessment the steps, which will be taken to ensure public safety.*
- 4.15 *The Council will expect Operating Schedules and Fire Risk Assessments to satisfactorily address these issues and new applicants are advised to seek advice, where necessary, from Council Licensing Officers and the West Sussex Fire & Rescue Service before preparing their plans and Schedules.*
- 4.16 *The Council will consider attaching conditions to licences and permissions to promote public safety. In attaching conditions the Council will seek to avoid duplication with the requirements of other regulatory regimes, for example legislation covering health and safety at work and fire safety.*

Enforcement

- 8.1 *Once licensed, it is essential premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the 2003 Act and the Council will make arrangements to monitor premises.*

Reviews

- 9.6 *The 2003 Act provides a clear focus on the promotion of the four statutory licensing objectives which must be addressed when licensing functions are undertaken. The Act provides tough powers, in the form of the review procedure, to enable licensing authorities to bring the minority of badly managed premises, which are failing to promote the licensing objectives, into line with the best.*
- 9.8 *When considering an application for a Review the priority of the Licensing Authority will be to establish the cause or causes of the concerns and failures and to take necessary and proportionate remedial action.*
- 9.9 *However, when considering applications for Review arising in connection with crime (this includes underage alcohol sales) deterrence is an appropriate objective. Whilst punishment may not strictly be a valid tool on an application for Review in cases where there has been activity in connection with crime, deterrence can be. The Licensing Authority will not confine its decision simply to considerations of remedying. To simply re-emphasise conditions which clearly have not been adhered to in the past will not in most cases prevent further breaches of the law in the future and consequently would not promote the Licensing Objectives.*

6. Consultation

- 6.1 The application has been subject to statutory consultation and statutory public advertisement arrangements in accordance with the provisions of the Act.

7. Relevant Representations

- 7.1 The application received one representation and it is reproduced in full at Appendix G.

- 7.2 The applicant, Sussex Police has produced information supporting their arguments at Appendices E.
- 7.3 The licence holder has indicated that they intend to produce supporting information but this was not available at the time of publication but will be forwarded to members on receipt.
- 7.4 The applicant, licence holder and those making relevant representation have been invited to attend the Committee meeting. All parties have the right to address members.

8. Mediation

- 8.1 As part of the review process the Licensing Act encourages, where possible, mediation.
- 8.2 Mediation has been taking place between Sussex Police and Messrs. Mott & Wells. At the time of drafting this report information regarding the mediation was not forthcoming. Any developments will be reported at the hearing.

9. Consideration

- 9.1 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken. These being the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. Each objective is of equal importance and it is important to note that there are no other licensing objectives, so that these four objectives are paramount considerations at all times.
- 9.2 But members should note that the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:
- *Necessary protection of local residents, whose lives can be blighted by disturbance and anti-social behaviour associated with the behaviour of some people visiting licensed premises of entertainment;*
 - *Introduction of better and more proportionate regulation to give business greater freedom and flexibility to meet customers' expectations;*
 - *Greater choice for consumers, including tourists, about where, when and how they spend their leisure time;*
 - *Encouragement of more family friendly premises where younger children can be free to go with the family;*
 - *Further development within communities of our rich culture of live music, dancing and theatre, both in rural areas and in our towns and cities;*
 - *Regeneration of areas that need the increased investment and employment opportunities that a thriving and safe night-time economy can bring.*

- 9.3 When determining this application members need to carefully consider the following:
- The four statutory licensing objectives
 - Worthing Borough Council's 'Statement of Licensing Policy'
 - 'Guidance issued under Section 182' by the Home Secretary
 - The application & relevant representations
 - The testimony and any relevant information supplied by the licence holders.
- 9.4 These are the only matters to be addressed by the authority when considering this review application. The statutory licensing objectives are the only grounds on which representations can be made, and the only grounds on which an authority will be able to refuse an application, suspend or revoke a licence or impose conditions.
- 9.5 When considering an application for a review, pursuant to s51 of the Act, the following options are available to the Committee to ensure promotion of the Licensing Objectives:
- To take no action.
 - To issue an informal warning to the licence holder and/or recommend improvement within a particular period of time.
 - To modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition).
 - To exclude a licensable activity from the scope of the licence.
 - To remove the designated premises supervisor because they consider the problems are the result of poor management.
 - To suspend the licence for a period not exceeding three months
 - To revoke the licence.
- 9.6 In determining an application for a review the following sections of the Home Secretary's Guidance issued under section 182 of the Licensing Act 2003 (Amended – April 2017) should be taken into account,

11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

11.20 In deciding which of these powers to invoke (see section 9.5 of this report), it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns which the

representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.

11.21 *For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.*

11.22 *Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems which impact upon the licensing objectives.*

11.23 *Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.*

9.7 Members should also have regard to relevant case law regarding deterrence.

Crown (Bassetlaw District Council) v Worksop Magistrates' Court – 2008

The judgment by Mrs Justice Slade in the High Court in a Judicial Review applied for by Bassetlaw District Council regarding a judgement of a District Judge sitting at Worksop Magistrates' Court in respect of a Licensing Act Appeal for Select & Save has established a number of principles.

1. *The general approach of Licensing Authorities on a Review is to establish the cause or causes of the concerns and to take remedial action which is necessary and proportionate.*
2. *However, when considering Reviews arising in connection with crime (and underage sales are included) deterrence is an appropriate*

objective and one contemplated by the Secretary of State in the Guidance.

3. *Whilst punishment may strictly not be a valid tool on a Review, in Reviews where there has been activity in connection with crime, deterrence could be.*
4. *The Licensing Authority and courts should not confine their decision simply to considerations of remedying. Deterrence can be considered.*
5. *To simply re-emphasis conditions which clearly haven't been adhered to in the past is not going to prevent further underage sales in the future, and therefore will not promote the Licensing Objectives.*

9.8 Sussex Police have not made any representation suggesting that the management, or staff, of the One Club were engaged in criminal activity.

9.9 In all cases members are required to give reasons for their decision.

10. Legal Implications

10.1 Under Section 181 and Schedule 5 of the Act, rights of appeal to the Magistrates' Court in respect of applications for review of an existing licence include:

- (1) The applicant or licence holder may appeal against any decision to modify the conditions of the licence, suspend or revoke a licence.
- (2) The applicant may appeal against a rejection in whole or part of an application to review.
- (3) Those that have made relevant representations may appeal against a review being granted, rejected, or against the modification or lack of modification of any conditions.

10.2 The Act allows for the local licensing authority to undertake a review following the grant of a premises licence, when requested to do so by a responsible authority, such as the police or the fire authority, or any other party, such as a resident living in the vicinity of the premises. The government's guidance states:

"The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with licensing objectives are occurring after the grant or variation of a premises licence.

At any stage, following the grant of a premises licence, a responsible authority, or any other person, may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

10.3 In determining this application, the principles of the Human Rights Act 1998 must be taken into consideration and the convention rights of both individuals and businesses will be given due weight.

- 10.4 Members must consider each application on its own merits, and in accordance with the principles of natural justice as well as the provisions of the Licensing Act 2003. All relevant factors must be taken into account, and all irrelevant factors must be disregarded.
- 10.5 All applications before Committee must be considered against the backdrop of anti-discriminatory legislation, such as the Equality Act 2010 and also in accordance with the Council's stated policy on Equal Opportunities.
- 10.6 In accordance with Section 17 of the Crime and Disorder Act 1998 the Council is under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent, crime and disorder in its areas. The possible crime and disorder implications are clearly relevant factors in the consideration of all applications and this is re-emphasised by the Licensing Act 2003 itself. In giving "due regard" to these possible implications members will consider and weigh up all the information available and representations made, including those from the public and the responsible authorities particularly the Police.

11. Other implications

- 11.1 Any decision taken will have regard for the local environment and, in particular, any conditions attached for the purposes of preventing public nuisance will take this principle into account. There are no significant direct race relations or equal opportunity implications that have been identified.

12. Recommendation

- 12.1 Members are requested to determine the application by Sussex Police for a Review of the Premises Licence, held by Peter Mott & Barry Wells T/A Lounge Leisure Group, at the One Club situated in Chatsworth Road. Members are requested to give reasons for their determination.**

**Mary D'Arcy
Director for Communities**

Principal Author and Contact Officer:

Simon Jones
Public Health & Regulation – Team Leader Licensing
Telephone 01273 263191.

Background Papers:

- Licensing Act 2003
- Guidance issued under section 182 of the Licensing Act 2003 (April 2017)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/627825/revised_182_guidance_05_04_17.pdf
- Worthing Borough Council's Statement of Licensing Policy
<http://www.adur-worthing.gov.uk/media/media,98561,en.pdf>

Appendices:

- Appendix A - A plan of the area.
- Appendix B - A plan of the premises.
- Appendix C – The Review Application.
- Appendix D – One Club's Premises Licence.
- Appendix E – Documentation supporting the Application.
- Appendix F – Documentation supporting the licence holder (*awaiting submission*)
- Appendix G - A copy of representation received from a Responsible Authority – WSCC Public Health.

Adur & Worthing Public Health & Regulation - Licensing Unit
Portland House, Worthing

Ref: SJ/Lic.U/LA03/Review – One Club
Date: 20 October 2017.

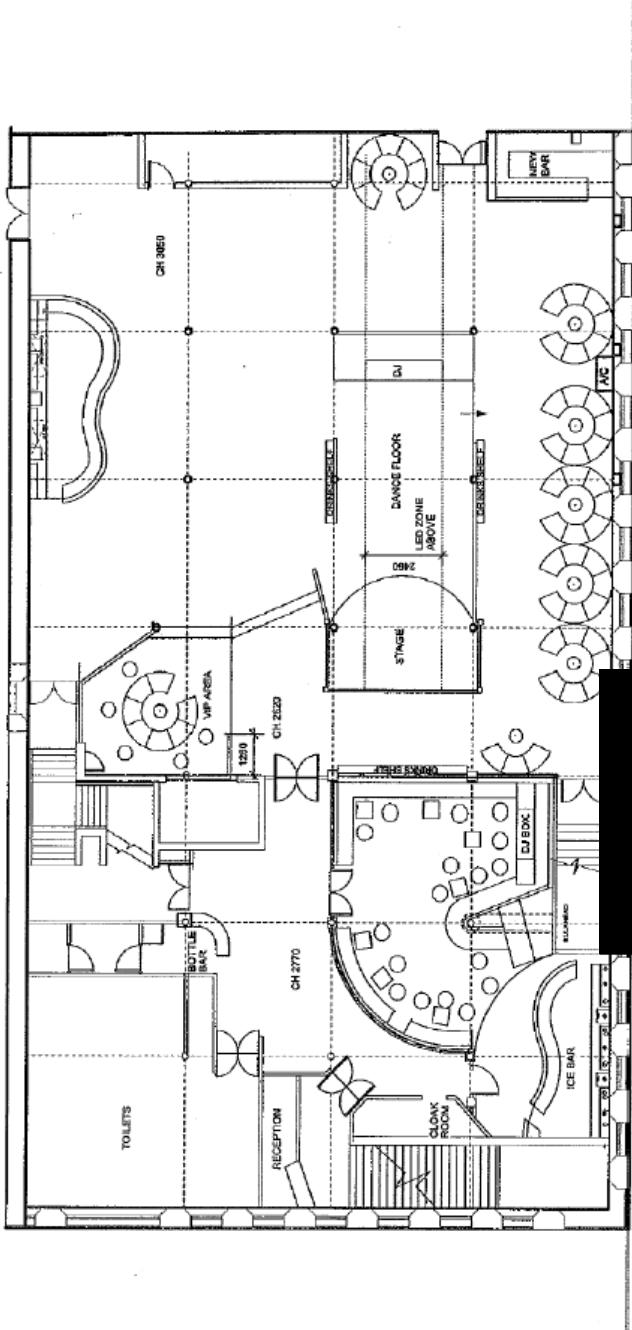
Appendix A Plan of Area



Title: Liquid Lounge 31 Chatsworth Rd Scale 1:1250 Date Plotted 14/7/2005

Appendix B
Plan of Premises

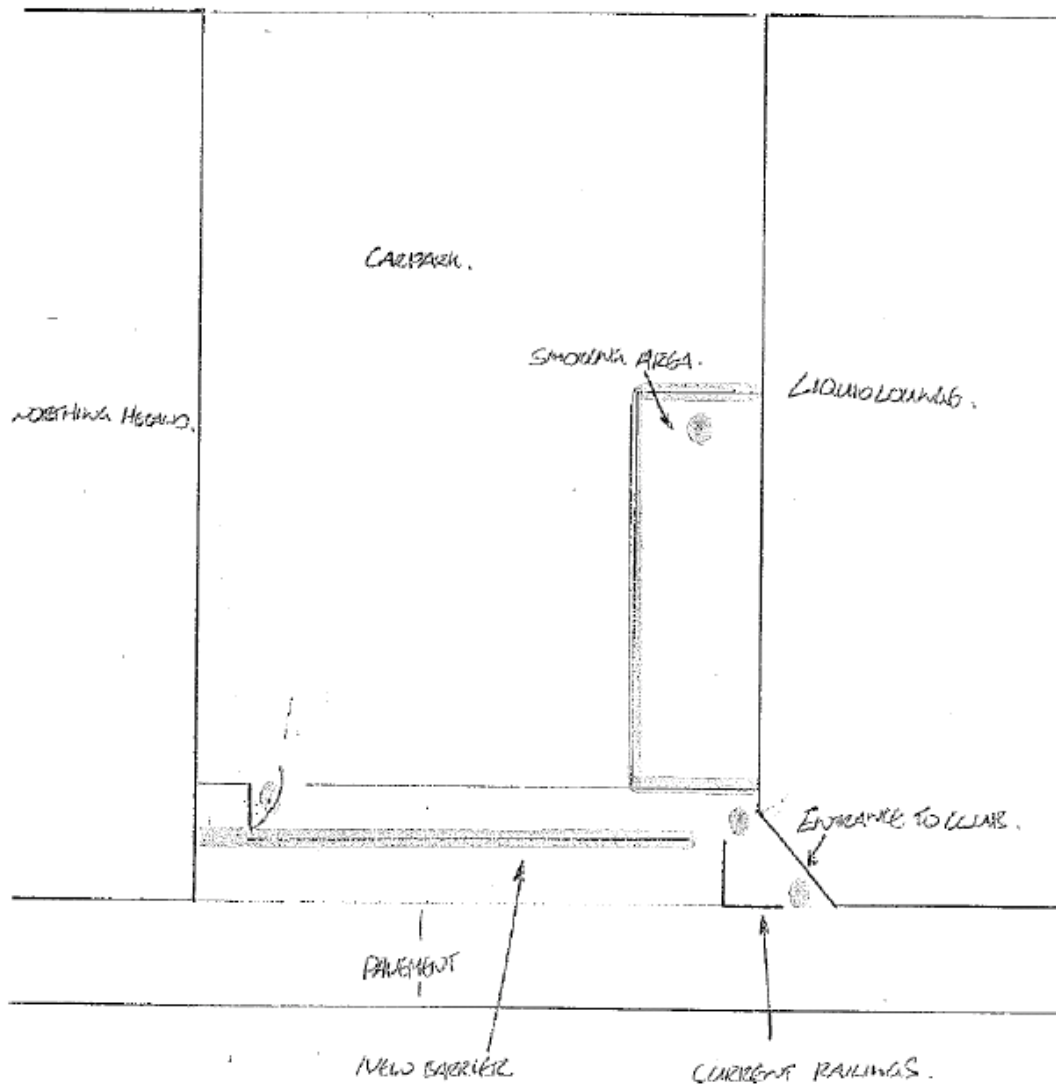
One Club
Chatsworth Road



PROPOSED CLUB OPTION
SCALE 1:100
FIRST FLOOR
LIQUID LOUNGE

When Customers wish to go outside for a cigarette, they will be given a stamp on their hand. We will only let a certain amount of people at any one time in the smoking area. This will be approximately 30 to 40 people.

The numbers will be controlled by 2 extra door supervisors who will be responsible for the smoking area by the use of clickers. They will be in direct communication with the door supervisor at reception who will be in charge of stamping customers and allowing them outside.



2 DOOR SUPERVISORS.



Appendix C Review Application



Application for the review of a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I, *(insert name of applicant)*

Chief Inspector Ockwell
for and on behalf of the Chief Constable of Sussex Police

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

Part 1 – Premises or club premises details

One Club
Unit 1 Chatsworth house

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

31 Chatsworth Road

Post Town

Worthing

Post code (if known)

BN11 1LY

Name of premises licence holder or club holding club premises certificate (if known)

Peter Mott & Barry Wells T/A Lounge Leisure Group Ltd

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

LN/100001196

Part 2 – Applicant details

Sussex Police
Application for review of a premises licence
07/2015

| | |
|---|--------------------------|
| Please mark X for yes | |
| 1) an interested party (please complete (A) or (B) below) | <input type="checkbox"/> |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

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

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

| | | | | | | | | | |
|------------------------------|--------------------------|-----|--------------------------|------|--------------------------|----|--------------------------|-----------------------------------|--|
| Please mark X for yes | | | | | | | | | |
| Mr | <input type="checkbox"/> | Mrs | <input type="checkbox"/> | Miss | <input type="checkbox"/> | Ms | <input type="checkbox"/> | Other title (for example, Rev) | |

| | |
|--|--|
| Surname | First names |
| <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> |

| | |
|------------------------------|--------------------------|
| Please mark X for yes | |
| I am 18 years old or over | <input type="checkbox"/> |

| | |
|--|--|
| Current postal address if different from premises address | <input style="width: 95%;" type="text"/> |
|--|--|

| | |
|---|--|
| Daytime contact telephone number | <input style="width: 95%;" type="text"/> |
| E-mail address (optional) | <input style="width: 95%;" type="text"/> |

(B) DETAILS OF OTHER APPLICANT

| | |
|---|--------------------------|
| Please mark X for yes | |
| 1) an interested party (please complete (A) or (B) below) | <input type="checkbox"/> |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

| | |
|--|----------|
| 2) A responsible authority (please complete (C) below) | X |
|--|----------|

| | |
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| 3) a member of the club to which this application relates (please complete (A) below) | <input type="checkbox"/> |
|---|--------------------------|

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

| | | | | | | | | | |
|------------------------------|--------------------------|-----|--------------------------|------|--------------------------|----|--------------------------|-----------------------------------|--|
| Please mark X for yes | | | | | | | | | |
| Mr | <input type="checkbox"/> | Mrs | <input type="checkbox"/> | Miss | <input type="checkbox"/> | Ms | <input type="checkbox"/> | Other title (for example, Rev) | |

| | |
|--|--|
| Surname | First names |
| <input style="width: 95%;" type="text"/> | <input style="width: 95%;" type="text"/> |

| | |
|------------------------------|--------------------------|
| Please mark X for yes | |
| I am 18 years old or over | <input type="checkbox"/> |

| | |
|--|--|
| Current postal address if different from premises address | <input style="width: 95%;" type="text"/> |
|--|--|

| | |
|---|--|
| Daytime contact telephone number | <input style="width: 95%;" type="text"/> |
| E-mail address (optional) | <input style="width: 95%;" type="text"/> |

(B) DETAILS OF OTHER APPLICANT

| |
|----------------------------------|
| Name and address |
| Telephone number (if any) |
| Email address (if any) |

| |
|--|
| (C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT |
| Name and address: Chief Inspector M Ockwell for and on behalf of the Chief Constable of Sussex Police c/o Licensing Officer P Giddings Sussex Police West Sussex Divisional Headquarters Centenary House Durrington Lane, Worthing West Sussex BN13 2PQ |
| Telephone number (if any) 01273 404030 |
| (Email address (if any)) WS_licensing_wor@sussex.pnn.police.uk |

| | |
|---|--|
| This application to review relates to the following licensing objective(s) | |
| | Please mark X for yes (one or more boxes) |
| 1) the prevention of crime and disorder | X |
| 2) public safety | X |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | X |
| Please state the ground(s) for review (please read guidance note 1) | |

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On 23rd January 2013 a Review Hearing was held in relation to the premises licence for The Liquid Lounge night club now known as One Club, in Chatsworth Road Worthing, in conjunction with The Light Bar (now known as Molotov Cocktail and Vodka Bar); an adjacent and connected premises under the same ownership. At the hearing, the Licensing Committee considered it necessary to apply a number of conditions to the licences which had been previously agreed between the police and the PLH's of both premises, to ensure the Licensing Objectives were promoted and patrons were kept safe. At the suggestion of the Premises Licence Holders and with the agreement of the police, the DPS, Mr Peter Mott, was removed and replaced by Mr Barry Wells. Mr Wells acknowledged the failings of the premises and agreed to take on this role as he was a Premises Licence Holder and therefore would have the authority and responsibility to run the premises in accordance with the promotion of the four Licensing Objectives.

A new licence, with the additional conditions, was subsequently issued to the Premises Licence Holders (namely Barry Wells and Peter Mott). Mr James Lanz, who was the general manager at this time, has remained in that capacity at both premises, where he is currently employed.

The Review Application from November 2012 is attached at **Appendix A**.

The determination of the review hearing on January 2013 is attached at **Appendix B**.

Since the review hearing, Liquid Lounge and The Light Bar have continued to trade as One Club and Retro. After a short closure in November 2016, Retro re-opened as the rebranded cocktail bar called Molotov Cocktail and Vodka Bar.

Since the Review in 2013 there have been a number of interactions between Sussex Police and the management of both premises however, this Review document deals with the time frame commencing November 2016 to the present.

Since November 2016 Sussex Police and the Local Authority have raised concerns with the premises licence holders and the management of the Molotov Cocktail and Vodka Bar regarding a failure to comply with the Licensing Act 2003 and adhering to the conditions attached to the premises licence. This has resulted in Sussex Police submitting an application for the review of the premises licence for Molotov Cocktail and Vodka Bar. This was served 25th July 2017.

The Review Application for Molotov Cocktail and Vodka Bar is attached at **Appendix C**

The premises licences for both One Club and Molotov Cocktail and Vodka Bar continue to be held by the same persons; the management for this hitherto interlinked premises also remain the same.

Through matters reported to Sussex Police and as a result of licensing visits undertaken, Sussex Police have become aware of a number of breaches of the premises licence and have serious concerns regarding the management of the premises, and the intoxication and care of its patrons. Sussex Police contend that the Designated Premises Supervisor (DPS) Barry Wells and Premises Licence Holders (PLH) Peter Mott & Barry Wells have failed in discharging a duty of care to their patrons. They show a consistent failure to comply with conditions attached to the premises licence and a distinct disregard for the responsibilities conferred upon them having assumed these roles.

Sussex Police contend that the following licensing objectives have been seriously undermined:

- 1) The prevention of crime & disorder
- 2) Public safety
- 3) Protection of children from harm

Please provide as much information as possible to support the application (please read guidance note 2)

One Club is a nightclub located in the town centre, adjacent to Molotov Cocktail & Vodka Bar. Both Molotov and One Club are owned by the same Premises Licence Holders (PLH), Mr Barry Wells and Mr Peter Mott. (albeit with differing trading names) Both premises are governed by the same management team and are connected via an internal staircase. Access via this staircase is not believed to be currently available to members of the public.

The premises licence permits the sale of alcohol on the premises, as below:

19:00 ~02:00 Monday Tuesday Wednesday,
19:00 ~02:30 Thursday
19:00 ~03:00 Friday
19:00 ~03:30 Saturday (plus additional extensions for seasonal variations e.g. bank holidays)

Closing time is approximately 30 minutes later

The ability to provide live & recorded music and dance reflects the above hours plus extensions up to 04:30 hours on the following morning New Year's Eve.

Located in Chatsworth Road in the busy centre of Worthing, the premises are often run concurrently consequently it is not always clear which incidents refer to which premises. Record keeping by the premises does nothing to assist this situation.

Below is a chronology of significant incidents which have occurred and been recorded by Sussex Police in relation to One Club. In some instances the information pertaining to police intervention may be mirrored in the Review document submitted in relation to Molotov Cocktail & Vodka Bar.

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19 November 2016 03:04 Saturday

Police officers who were on duty in the area observed an altercation between a group of males exiting the One Club. The officers approached one of the men who was seen to be behaving aggressively. He then attempted to get away and proceeded to assault a police officer. He was subsequently arrested for drunk and disorderly behaviour, for assault and for resisting arrest. There was no report from police officers of the SIA door staff at the premises intervening or managing the situation. The male was found guilty at Magistrate's Court where he received a fine and required to pay a court surcharge.

20 November 2016 03:15 Sunday

Police officers were on duty in Chatsworth Road Worthing when they were summoned by door staff at the premises who had ejected a male following an alleged racist comment. Once outside the male stated that he had been hit with a bottle by the other male. SIA door staff confirmed that the other male was also going to be ejected. The male accused of the 'bottling incident' stated that he was retaliating having had a drink poured over him. One male was arrested for the offence of committing Grievous Bodily Harm. The victim continued to be verbally abusive to the suspect throughout. SIA door staff informed the officers that they had seen the victim with his hands around the suspect's throat. The officer's described the victim as intoxicated.

17th December 2016 02:30 Saturday

Sussex Police received a report on 21st December 2016 from a male who had been assaulted at the premises at approximately 02:30-02:45 on the 17th December. He stated that while at the bar he had received a blow to the face resulting in a fractured nose, two black eyes, a cut to the forehead and damage to his ear and teeth. He was unable to provide much clarity around the incident having been in and out of

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consciousness, however he confirmed that the manager had driven him to hospital. It was not until February that staff at the premises volunteered the name of a suspect to Sussex Police. (See licensing visit 4th February 2017). The investigating officer recorded that he was disappointed at the lack of support he received. Door staff failed to provide statements and, although an arrest was made, due to lack of evidence no further action could be taken. Police records indicate that no call was made to the Police or to SECAMB (ambulance service) at the time of the incident.

It should be noted that within the Review sought in 2012, Sussex Police raised concerns with the Premises Licence Holders regarding Mr Lanz transporting victims of violent crime to hospital in his own vehicle, without contacting the emergency services seeking medical assistance or Police support in detaining suspects and/or preserving the crime scene:-

"The continuing occurrence of violent incidents, drunkenness and the failure to report incidents to the emergency services not only contravenes the licensing objectives, but gives Sussex Police a clear indication that Liquid Lounge is being operated in such a way that it currently presents both a real danger to the patrons at the premises and a detriment to the wider local community." (Review document 2012)

25 December 2016 03:23 Sunday

Sussex Ambulance Service reported they had been called to a male who had been assaulted in the street. He had sustained bruising to the face, three chipped teeth, a cut to his right side and a possible broken nose. When police officers attended the victim, he stated that he had been drinking with friends at One Club and left at approximately 03:00 hours to go home. On his way home from the premises the male was assaulted. On arrival at the hospital the victim's intoxication levels were so high that he was deemed unfit to provide a statement. The level of intoxication reached within the One Club which rendered him vulnerable, also prevented him providing officers with a statement, hindering the investigation and delaying Police officers in locating his assailants. Eventually a suspect was arrested and was found guilty at Magistrates Court.

14 January 2017 02:55 Saturday

Sussex Police received a report that a male was 'kicking off' at One Club. On arrival the officers noted that the male was being restrained by door staff. The male had been ejected from premises due to his level of intoxication and his behaviour. This resulted in further abuse and assault of a member of the door staff team. Police confirmed that the male was drunk and arrested him for common assault. The member of door staff did not wish to make a statement and did not wish to pursue further action. The male received a Penalty Notice for Disorder (£90.00) for drunk and disorderly behaviour but, due to the failure to support police action by the victim, staff at One Club, there was no further action taken in relation to the assault.

4th February 00:30 hours Saturday

PC Jones of the Neighbourhood Licensing Team conducted a licensing visit to One Club. Mr Wells the Designated Premises Supervisor (DPS) and Premises Licence Holder (PLH) was not present as he was on holiday out of the country. James Lanz, the General Manager however, was present. PC Jones spoke with Mr Lanz regarding the incident of 17th December and asked why, rather than call an ambulance, he had driven the victim of a serious assault to hospital by car. Mr Lanz stated that in the past he found this to be quicker than waiting for an ambulance. He was unable to give a reason why he had not called Sussex Police.

PC Jones reminded him that both ambulance and police services must be called when a situation like this arises. It was agreed that in future the premises should endeavour to detain the parties involved wherever a crime may be suspected, and that the police *must* be called. This allows the police officers to establish who may be a suspect, what evidence may need to be secured and what enquiries need to be made. At this stage James Lanz and the head door supervisor proceeded to provide PC Jones with the name of the male who they believed was the suspect of the assault.

A press release had previously been circulated by Sussex Police to try and establish further information surrounding the assault at the club. It was of some concern therefore, that this information had not been provided to the police by the premises manager or door team at the earliest opportunity. This was exacerbated when they continued to express the belief that the male suspect, may be an SIA registered door supervisor (a recordable profession, holding a position of responsibility). A male was subsequently arrested but due to the lack of support and the failure of door staff to produce statements no further action

was possible.

Mr Lanz added that the Premises Licence Holders intend to replace the ID scanner as staff were finding it difficult to operate and interrogate the current one.

10 February 2017

Adur & Worthing Council senior licensing officer wrote to the premises licence holders of One Club and One Club/Retro seeking the payment of outstanding fees due on 1st November 2016. The letters indicated that, due to the failure to make payment, the licence holders now had 14 days to settle the outstanding fee or a suspension notice would be served. This is a further demonstration of the poor management of the premises by the Premises Licence Holders.

12 February 2017 01:32 Sunday

PC Jones of the Neighbourhood Licensing Team conducted a licensing visit in the company of Simon Jones Worthing Borough Council licensing officer. Mr Wells the (DPS& PLH) was on holiday, however James Lanz was present. PC Jones spoke with Mr Lanz regarding the provision of information from the ID scanner entry system. Information had been requested by Sussex Police on the 12th January 2017, relating to the incident which occurred on 17th December 2016. PC Jones advised that no information had been provided. Mr Lanz suggested that there was an issue with the "operating company" refusing to provide the information. He was advised that any irregularity in the operating of the system must be addressed by the Premises Licence Holder/DPS in order to ensure compliance with condition 6 Annex 3 of the premises licence*. The information sought by Sussex Police in relation to the incident should be provided upon request. PC Jones then issued a Closure Notice under S19 Criminal Justice and Police Act 2001 to Mr Lanz, which requires the PLH to comply with the condition identified or the matter may be referred to a Magistrate's Court where a closure may be enforced. Copies and letters were also sent to the DPS Mr Wells and to the PLH's.

- 6. **An identification scanning system with a strict no ID/no entry policy shall be operated at all times licensable activities are taking place unless prior written agreement with Sussex Police has been obtained or the system has suffered mechanical breakdown beyond the control of the proprietor. Information from the system shall be made available upon request to the Police in accordance with the Data Protection Act. Any breakdown or system failure will be reported to the Police immediately and remedied as soon as practicable.*

12th February 2017 02:21

Police officers on patrol in a police car, were passing the premises and noticed a number of males being detained by security door supervisors. They were informed that the males had been lawfully ejected from the premises following an altercation inside. The males had become aggressive and abusive, continuing to demonstrate this behaviour outside the premises. One male continued to be aggressive and disorderly to such a degree that he was subsequently arrested for being drunk and disorderly. While it is noted that the door staff were making every effort to handle the situation prior to the police officers involvement, the situation had arisen due to the intoxication level of the male arrested and who had been drinking in One Club. The male was issued with a penalty notice for disorder.

5th March 2017 02:09 Sunday

Police officers who were on duty in the area were flagged down by SIA door staff outside One Club. They reported to the officers that a female they had ejected for assault, was alleging that she had been sexually assaulted by a male inside the premises. The suspect was described as very drunk and was detained and arrested. However both parties were considered to be intoxicated. Subsequently the female was unwilling to support further police action. The male was released without charge.

18 March 2017 23:22 Saturday

Police officers were called to the premises following an incident where a male was bleeding from a head injury. Members of the door staff informed the officers that the victim had been pushed by another male and had fallen over and banged his head, resulting in heavy bleeding. Police stated both the suspect and victim were described as very intoxicated. A member of SIA door staff provided a statement for the officers; staff at the premises also agreed to provide the footage of the incident from CCTV cameras by closing

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time. It was not available to the officers. It was however provided at 19:00 hours the following evening. The victim despite his injuries victim ultimately elected not to proceed with the matter and therefore no further action was taken.

15th April 2017 Saturday

In June 2017 the Neighbourhood Licensing Team became aware that during April an underage female had been admitted into the premises where it is believed she bought and consumed an unknown substance. (believed to be MDMA) Shortly afterwards the girl experienced a seizure. SIA doorstaff are reported to have removed her by her hands and feet placing her on the floor outside the premises. The girl's foster parent was contacted by the girl's friends and she attended the premises. Upon her arrival she complained to door staff due to her concerns regarding the child's welfare and the fact that no ambulance had been called. She also highlighted the fact that they had allowed an underage female into the premises. She was informed by doorstaff that she must have used false I.D. The girl was taken by her parent to the hospital where she was detained for the night due to their concerns over her dangerously accelerated heart rate. Sussex Police have serious concerns that a vulnerable female has been removed from the premises; having received no medical attention and left in the street; without calling an ambulance or the police. There are further concerns that an underage child should be able to obtain admittance while the premises has an I.D. scanner in use in accordance with condition 7 annexe 3 of the premises licence, a condition applied by the Committee to keep people safe following the previous Review Application .

- 7. Entry be restricted to those patrons whose ID has been scanned into the ID scanner system operated by the premises.
- 8. A challenge 25 Policy will apply with regard to the sale of alcohol. Any person who appears to be under the age of 25 shall be required to provide satisfactory photographic evidence that they are 18 years old or over before being sold or supplied with any alcoholic drink, or on entry should the ID scan system become inoperative.

There is no indication that any attempt was made to ascertain what substance the girl had taken nor whence it came. This may have jeopardised the medical response in successfully treating the victim. It also failed to tackle a drug related incident which originated within the premises and may have gone on to affect other people. The behaviour of the management and staff in failing to protect a member of the public, who was underage, was unacceptable. There was no duty of care nor any attempt to keep the young female safe.

23rd June 2017 23:10 Friday

PC Jones of the NLT conducted licensing visits at both Molotov and One Club. Mr Wells was not present as he was out of the country. Mr Lanz acknowledged that he was a representative of the Premises Licence Holder and escorted PC Jones around the premises. During the visit it became apparent that a number of the licence conditions were not being adhered to.

Mr Lanz was asked to produce records of staff working at the premises. He was unable to do so stating that they were available but due to storage issues he would need to find them. This is in breach of conditions 12, 13, 14 of Annexe 3

- 12 Staff Members to be engaged in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, in particular but not exclusively in regard to age restricted sales and the refusal of sales to persons believed to be under the influence of alcohol or drugs.
- 13 Induction training must be completed and fully documented prior to the sale of any alcohol by the staff member and refresher training thereafter at intervals no less than 8 weeks. All restricted sales training undertaken by staff members shall be fully documented and recorded.
- 14. All training records shall be made available to Sussex Police, Local Authority Licensing Officers and the Local Trading Standards service upon request

The CCTV system was reviewed and found to be deficient. The coverage provided was insufficient as 6 of the 16 cameras on the system were not working; only one of the working cameras was covering a

licensable area. Furthermore the images recorded were not able to be retained for the 2 months required by the licence condition. The CCTV coverage of the smoking area was obscured by the burger van making observation and identification of incidents or people impossible. This is in breach of conditions 15 and 16 Annexe 3 of the premises licence

- 15. CCTV to be installed in accordance with Home Office guidelines relating to UK police requirements for digital CCTV systems covering the entire premises including the outside areas/front of premises.
- 16. CCTV images shall be retained for at least 28 days and except for mechanical breakdown beyond the control of the proprietor, shall be made available upon request to the police. Any breakdown or system failure shall be notified to the Police and immediately remedied as soon as practicable.

SIA door staff were on duty but were not using body worn video cameras. This is a breach of condition 4 Annexe 3

- SIA door staff shall utilise functioning body worn videos at all times when they are on duty.

PC Jones served a Closure Notice under S19 Criminal Justice and Police Act 2001 to Mr Lanz in relation to the failure to adhere to the CCTV condition. PC Jones wrote to Mr Wells (DPS & PLH) on 27th June 2017 including details of the Closure Notice and the actions required in order for compliance to be achieved.

Mr Lanz was asked to produce the incident management policy. He was unable to do so. Mr Lanz was then asked to produce an incident and/or refusals register. He was unable to do so but stated that door staff will have the past 6 months of incidents records at home. Regarding the recording of refusals, Mr Lanz explained that bar staff inform a member of security staff, who then record it in their own log. When PC Jones asked Mr. Lanz where bar staff would record incidents and refusals at times when door staff are not employed, he admitted that one was not kept or maintained. Mr Lanz was also unable to produce any records of training for the staff currently employed. He stated that all of the required documents would be stored but he needed to locate them. PC Jones requested that all the relevant missing documents be emailed to the NLT email account by 1700hrs on Tuesday 27th June 2017. This is a breach of condition 11 Annexe 3

- 11. An incident/refusals register shall be maintained and kept on the premises to record refusals and incidents of crime and disorder. These records shall be made available to the local licensing authority and/or Sussex Police upon request.

The Review Application submitted by Sussex Police, of the premises licence for Molotov Cocktail & Vodka Bar, addresses an ongoing failure by the Premises Licence Holders and the management team to provide documentation pertaining to staffing rotas and incidents logged at the premises. There has been an indication that the records for both One Club and Molotov are combined. The records produced to officers in relation to Molotov have been inaccurate and deficient. This failure, therefore raises concerns for Sussex Police that the maintenance of documentation, required by the conditions attached to the premises licence, is not being adhered to in relation to both premises.

28th June 2017 Wednesday

Following further requests from Sussex Police, the premises dispersal policy was emailed to PC Jones by James Lanz. From checking the document it appears to have been created on 27th June, 2017.

Mr Lanz also confirmed in his email that he had still not been able to locate any staff training records, or the staff rotas that PC Jones had requested on 23rd June 2017.

29th June 2017 Thursday

Sussex Police had been previously advised that there are no incident logs held which are specific to Molotov, all records are kept within One Club. The incident logs for Molotov / One Club were provided by

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Mr. Lanz to Sussex Police. These have been examined against records held by Sussex Police of incidents reported to the police. There are significant unexplained discrepancies in these records which we would not expect to see from records which had been made and correctly captured at the time of each incident.

12th July 2017

During the morning of 12th July 2017, Mr Barry Wells contacted PC Jones to enquire if he could attend the Coroner's inquest of the lady who had been Molotov on 19th February 2017. PC Jones advised him that it was a public inquest and that anyone could attend. At this time PC Jones took the opportunity to further request from Mr Wells, in his position as the Designated Premises Supervisor, the outstanding training records and staff rotas, first requested on 23rd June 2017, be provided for inspection. Later that afternoon, James Lanz emailed PC Jones a copy of a handwritten staff rota for the premises, dated 19th February 2017 (which relate to Molotov). The email also included incomplete staff record sheets for the two members of bar staff who had worked on that date. The sheets appeared to indicate that initial induction training had been conducted, but that no refresher training had been completed. It is unclear if these two staff members are employed or have been employed across both sites.

14th July 2017

An application was received by Sussex Police to specify James Lanz as the new DPS. Mr Wells to remain as the PLH. A variation application was also submitted to remove conditions from the premises licence of One Club .

Sussex Police raised objections to both these applications alongside similar applications for Molotov Cocktail and Vodka Bar.

15th July 2017 approx. 03:15 Saturday

PC Jones was conducting licensing checks at Molotov and One Club, when he observed the owner of LINK Security, Mr Ian Young undertaking the duties of a door supervisor outside the premises. The officer noted that Mr Young was not displaying an SIA licence, and duly advised him that if was to undertake door supervisor duties, he must display his licence in accordance with the Security Industry Act 2001.

15th July 2017 Saturday

An email was received from James Lanz that contained some incomplete training record sheets, an incomplete set of hand written duty rota records for the premises, and an incomplete set of hand written rota sheets for door staff.

20th July 2017 Tuesday

PC Jones made enquiries with the SIA public register of licence holders, to confirm that Mr Young of LINK security held a valid SIA licence. These enquiries revealed that Mr Young did not hold a current SIA licence authorising him to undertake any licensable activity. As such Mr Young was not authorised to undertake door supervisor duties, and was also not authorised to manage other door supervisors.

PC Jones immediately contacted Mr Lanz, who had by now been nominated through a Variation Application, as being the DPS of both Molotov and One Club, and advised him of Mr Young's unlicensed status. Mr Lanz advised PC Jones that they were aware of the situation, and that there had been technical difficulties in renewing Mr Young's SIA licence, and suggested that one of the other door supervisors had temporarily taken over the role of managing the staff.

It is an offence under the SIA Act 2001 to undertake duties as a Door Supervisor without a licence S3 (1), deploy other licensed staff without an SIA licence S17 (2)& (3) and to employ staff without an SIA licence S5(1). Mr Young knowingly undertook these duties, and Mr Lanz on behalf of the designated premises supervisor & premises licence holder knowingly deployed unlicensed SIA staff. Apart from being unlawful, this puts patrons at significant risk as any public liability insurance would be invalidated.

21st July 2017 Friday

PC Jones received an email from Mr Lanz, confirming that with immediate effect, door staff for Molotov and One Club would be provided by a different company, Castlegate Security Solutions. All of the door supervisors from LINK Security would transfer over to Castlegate Security Solutions.

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22nd July 2017 02:30 Saturday

A licensing visit was conducted at the premises by PC Jones. Mr Wells, was unavailable as he was out of the country. PC Jones noted that Mr Wells (DPS) was not present during any of the visits he made to One Club, and all communication he had in relation to One Club and the lack of adherence to the Premises Licence Conditions have always been with Mr Lanz.

Mr Lanz, the proposed new DPS for the One Club was present. Mr Lanz had been advised 29 days earlier that the failings of the CCTV system were in breach of the premises licence and had to be replaced by 21st July 2017

Mr Lanz stated that, due to financial restrictions, the Premises Licence Holders had been unable to replace the system. He reassured PC Jones however, that it had now arrived and was due to be installed sometime during the forthcoming week.

23rd July 2017 03:04 Sunday

Police officers were called to Chapel Road by a female reporting that she had been hit by her boyfriend. Upon arrival the officers were unable to confirm if an assault had taken place due to the female's level of intoxication. The following day further enquiries and a welfare check were completed. It was ascertained that the female and her boyfriend had been out in Worthing prior to gaining admittance to One Club. She stated that they had had approximately 7 drinks and were 8 / 10 on a scale of drunkenness where 10 is the maximum. Leaving the club at approximately 02:00 hours they had begun walking home, when she describes her boyfriend as "losing it"; punching walls and screaming at her. He then either grabbed her or punched her to the floor. She was unable to provide any further clarity around what had happened.

The male admitted his involvement and received a Police Caution for this alcohol fuelled incident.

13th August 2017 00:45 hours Sunday

Police Officers conducted a licensing check at the premises. It was estimated that there were approximately 224 customers. The ID scanner at the front door was not in use as it was apparently broken. While the officer was present I.D was apparently being checked by the door staff. The breakdown was not notified to Sussex Police, and therefore breaches condition 6 annex 3

- 6. An identification scanning system with a strict no ID/no entry policy shall be operated at all times licensable activities are taking place unless prior written agreement with Sussex Police has been obtained or the system has suffered mechanical breakdown beyond the control of the proprietor. Information from the system shall be made available upon request to the Police in accordance with the Data Protection Act. Any breakdown or system failure will be reported to the Police immediately and remedied as soon as practicable.

During the licensing check the Officers observed a female asleep on the table adjacent to the bar. While the officers were present she was escorted from the premises, given a glass of water and she sat down outside.

It should be noted that during February 2016 PC Vasey, at that time a member of the NLT, conducted vulnerability awareness training of staff at the premises. This was to reinforce the responsibilities, actions and duty of care necessary for persons selling alcohol on a licenced premises. The training was attended by James Lanz along with other staff members. PC Jones has since asked for records of other staff members who attended the training, but to date they have not been provided by the premises.

2nd September 03:30 Saturday

At approximately 03:30 hours PC Jones conducted a licensing visit at One Club. During the visit he observed that the CCTV system was now operational with 15 cameras working, and an improvement in the coverage of the licensable areas. Mr Lanz agreed to PC Jones conducting drug mapping at the premises. The full results are attached at Appendix D together with a plan of the readings at Appendix E However it is of particular concern that readings for Cocaine were taken on the male toilet door at a level of 5.6; on the female toilet door of 5.49 and on the fruit machine adjacent to the main bar a reading of 5.37. The last of these is particularly disturbing given it such a high reading within an open public area of the premises.

While examining the licences in relation to the three premises in Chatsworth Road Worthing [Tokyo 31, Retro and One Club] it has come to light that the company Lounge Leisure UK Ltd – 07770955, went into liquidation on 29/10/13 thus rendering the premises licence for Tokyo 31 void.

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During early 2017, Mr Wells et al, leased the property formerly known as Tokyo 31 to a third party restaurateur on the understanding that there was a valid premises licence in place. The third party restaurateur has since been required to cease all licensable activity authorised under the void licence. Further enquiries revealed that the names and dates of the remaining two licences and their transfers did not match the records held by the Local Authority licensing office.

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In conclusion

It is acknowledged that since the date of the coroner's inquest (in relation to the death of an intoxicated female patron on her way home from Molotov Cocktail & Vodka bar) there have been a number of steps taken by the Premises Licence Holders and the DPS, to rectify the breaches of conditions at both. This mirrors the cyclical pattern identified by Sussex Police prior to the previous Review of the Premises Licence in 2013. However incidents continue to occur despite police interventions and Sussex Police are once again striving to obtain compliance from the same Premises Licence Holders and the same management team in relation to similar breaches of the premises licence. It is not, nor should it be, the responsibility of the police to ensure premises licence conditions are adhered to by the holders of the licence. It is noted that many of the licence conditions applied to the premises licence by the Licensing Committee to keep people safe following the 2013 Review Hearing, have been completely disregarded by the Premises Licence Holders. Sussex Police contend that the management team and owners have demonstrated complete disregard for patrons' safety and have made no attempt to promote the licensing objectives designed to protect children from harm, to prevent crime and promote public safety.

It is noted in a number of incidents that violence has broken out following the ejection of drunk patrons from the premises. It is incumbent on the holder of premises licence to ensure that they do not allow staff to serve patrons until they are so drunk they become aggressive. S141 Licensing Act 2003 makes it an offence to 'sell or attempt to sell alcohol to a person who is drunk, or allow alcohol to be sold to such a person on relevant premises'. It is simply not acceptable to eject a person because they have drunk too much; service of alcohol should have been stopped long before the necessity to eject the person from the premises.

The premises licence holders, designated premises supervisor, and staff at the premises have exhibited no desire to keep people safe, nor have they displayed any duty of care towards patrons frequenting the premises.

To further support Sussex Police's concern in relation to the exceptionally poor manner in which these premises have been run by the present owners and management team; 2 days after the Coroner's Inquest was held, a variation application was received on 14th July, 2017 which seeks to remove and/or amend conditions on the Molotov Cocktail & Vodka bar licence which, had they been adhered too, may have prevented the unnecessary death of a mother of two children. The application to specify Mr Lanz as DPS of both premises causes great concern to Sussex Police who have no faith in the abilities of a general manager who has presided over the management of the premises which has culminated in the Review both premises licences not once but twice. A representation against the grant of the variation and an objection to the specification of Mr Lanz has been submitted to the Licensing Authority. It is also of significant concern that the premises licence holders (and in Mr Wells' case, the DPS) have been content to distance themselves from the running of a premises which has failed to protect people from harm both currently and historically. The current failings at the premises have a disturbing similarity to those highlighted to Mr Mott and Mr Wells within the Review of 2012.

Sussex Police contend that having appeared before the Licensing Committee on 23 January 2013 the premises licence holders should be fully aware of the responsibilities conferred upon them when assuming the supervision of a licensed premises. Their responsibilities to the members of the public choosing to use the premises, and their obligation to promote the licensing objectives and adhere to the Licensing Act 2003 have previously and frequently been made clear, both by Sussex Police and by the Licensing Authority, and by the Licensing Committee. Since then further breaches have been observed, documents have been

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produced which are inaccurately recorded and patrons have been hospitalised.

In submitting this second Review Application to the Licensing Committee, Sussex Police have considered the two options open to the Authority:

- Removal of the Designated Premises Supervisor will have no effect, as a DPS variation has already been submitted by the Premises Licence Holders wishing to replace Mr Barry Wells with Mr James Lanz. This has been objected to by Sussex Police as Mr Lanz already manages the premises on behalf of Mr Wells, and Mr Lanz is not considered competent by Sussex Police.
 - S182 Licensing Act 2003 deals directly with this issue at Para 11.22:
 - *Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.*
- The addition of further conditions to the premises licence or even a reduction in the hours the premises are open to the public will be futile, as the current Premises Licence Holders and management team have disregarded the existing conditions applied to the licence by the Licensing Committee in 2013. At S182 Licensing Act 2003, the Secretary of State gives the following guidance at Para 11.23:
 - *Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.*

Sussex Police have very significant concerns in relation to:

- The irresponsible manner in which the premises is trading, manifesting itself with:
 - The lack of adherence to the licence conditions by the owners and management;
 - The very high levels of intoxication within the premises, witnessed by police officers
 - The disregard by the owners, management and staff for public safety
 - The management knowingly deploying unlicensed SIA Door Supervisors at the premises.

Sussex Police have also seriously considered;

- The Secretary of States Guidance in relation to trading irresponsibly;
- The exceptionally poor management of the premises;

Sussex Police contend that they have no confidence in the current Premises Licence Holders, Mr Peter Mott and Mr Barry Wells, having the ability to run a safe premises, in accordance with their Premises Licence, without placing members of the public at risk.

Sussex Police understand the importance of a thriving and vibrant night time economy within Worthing, however this should not be achieved at the expense of public safety.

Therefore, we have no option but to respectfully request that the Licensing Committee consider taking the very serious step of revoking the premises licence of One Club.

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| | |
|--|-------------------------------------|
| Please mark X for yes | |
| Have you made an application for review relating to this premises before | <input checked="" type="checkbox"/> |

| | |
|--|--------------------------------------|
| If yes please state the date of that application | 23rd November 2012 |
|--|--------------------------------------|

| |
|---|
| <p>If you have made representations before relating to this premises please state what they were and when you made them</p> <p>Sussex Police submitted an application for the Review of the Premises Licences for both adjoining premises in Chatsworth Road on the grounds of the prevention of crime& disorder, the prevention of public nuisance & the protection of children from harm.</p> <p>This was due to the constant volume of incidents involving crime, disorder and public nuisance in and around these premises and by the continuing failure of the Designated Premises Supervisor (DPS), representatives of the Premises Licence Holder and the premises management team to address issues of violence, drunkenness & disorder within and in the immediate vicinity of the premises</p> |
| |

| | |
|---|---|
| Please mark X for yes | |
| <ul style="list-style-type: none"> I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate | X |
| <ul style="list-style-type: none"> I understand that if I do not comply with the above requirements my application will be rejected | X |
| IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION | |
| Part 3 – Signatures (please read guidance note 3) | |

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature (on behalf of the applicant)



Date: 07/09/2017

Capacity:
HEAD OF LICENSING + PUBLIC SAFETY.

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

c/o Sussex Police
West Sussex Divisional Headquarters
Centenary House
Durrington Lane, Worthing
West Sussex
BN13 2PQ

| | |
|----------------------------------|------------------------------|
| Post town Worthing | Post code BN13 2PQ |
| Telephone number (if any) | |

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Appendix A

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

- 1 Jean Irving, Force Licensing and Public Safety Manager
Sussex Police, for and on behalf of the Chief Constable of Sussex Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

| | |
|--|---|
| Postal address of premises or, if none, ordnance survey map reference or description Liquid Lounge Chatsworth House 31 Chatsworth Road | |
| Post town Worthing | Post code (if known) BN11 1LY |

| |
|---|
| Name of premises licence holder or club holding club premises certificate (if known) Peter Mott & Barry Wells t/a Lounge Leisure Group |
|---|

| |
|---|
| Number of premises licence or club premises certificate (if known) LN/000001196 |
|---|

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|--|
| Name and address Jean Irving, Force Licensing and Public Safety Manager for and on behalf of the Chief Constable of Sussex Police. C/O Simon Morgan Sussex Police Divisional Headquarters Centenary House Durrington Lane Worthing West Sussex BN13 2PQ |
| Telephone number (if any) 101 x 81261 or 01243 843666 |
| E-mail address (optional) WS_licensing_WOR@sussex.pnn.police.uk |

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 3) the protection of children from harm | <input checked="" type="checkbox"/> |
| 4) public safety | <input checked="" type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

Sussex Police contend that the Licensing Objectives of:

- i) Prevention of crime & disorder
- ii) The prevention of public nuisance
- iii) The protection of children from harm
- iv) Public safety

have been seriously undermined by the volume of incidents involving crime, disorder and public nuisance in and around these premises and by the continuing failure of the Designated Premises Supervisor (DPS) Peter Mott, representatives of the Premises Licence Holder (Peter Mott & Barry Wells T/A Lounge Leisure Group) and the premises management team to address issues of violence, drunkenness and disorder within and in the immediate vicinity of the premises.

On February 2010, Peter Mott and James Lanz (Manager) were required to attend a Local Action Team (LAT) meeting after Sussex Police identified that the levels of crime, disorder, public nuisance and anti-social behaviour in and around Chatsworth Road, Worthing had risen to unacceptably high levels. It was established that the Liquid Lounge, situated within the heart of the LAT area, was responsible for many of the identified problems. Sussex Police were particularly concerned that in the month of February 2010, the Liquid Lounge had more incidents attributable to their premises than any other nightclub in Sussex.

Representatives from Worthing Borough Council and the Town centre anti-social behaviour team were also in attendance. During this meeting, Mr. Mott and Mr. Lanz presented a number of measures they believed would help reduce the problems associated with Liquid Lounge.

Sussex Police believe, that despite repeated police intervention since that meeting, the measures put into place by the management of the Liquid Lounge 'complex' have failed to provide a sustainable solution to the continuing high levels of crime and disorder attributable to the 'complex' and that it is now necessary to review the Premises Licence.

Sussex Police contend that within the period of approximately eighteen months, the management of the Liquid Lounge have been responsible for numerous serious assaults including four assaults occasioning grievous bodily harm (GBH) and over a dozen assaults of actual bodily harm (ABH). Police officers have been assaulted attempting to detain violent and drunk Liquid Lounge patrons outside the premises and have intervened in six incidents of public disorder instigated by patrons from the premises. During this time-frame, Sussex Police have received reports of sexual offences being committed against patrons inside the premises and, notably, upon females who have left the premises in a vulnerable, drunken state.

Drunkenness features in almost all of the incidents cited within this document. On a number of occasions, Sussex Police have raised their concerns with the management of the premises, stating that there is a clear correlation between increased drunkenness at the premises and an increase in crime and disorder associated with the Liquid Lounge. However, the management at the Liquid Lounge still fail to promote the licensing objectives or offer an acceptable duty of care towards the patrons who attend their premises. Sussex Police believe that it is now necessary to instigate review proceedings and address the continuing failure of the Liquid Lounge management team to adequately remedy these serious and ongoing problems.

Please provide as much information as possible to support the application
(please read guidance note 2)

Liquid Lounge and The Light Bar are premises joined internally by a flight of stairs. While two Premises Licences exist, the Premises Licence Holder, the Designated Premises Supervisor (DPS) and the management team are common to both. Located in Chatsworth Road in the centre of Worthing, the premises are run concurrently, allowing access from one to the other between certain times, as specified on the premises licence. It is therefore necessary to examine records of all relevant incidents for both premises and while it is appreciated there are two premises licences, this review application is sought in conjunction with that for The Light Bar, premises Licence number **LN/000001195**.

Below is a chronology of significant incidents which have occurred and been recorded at The Liquid Lounge. Due to the co-joined nature of the Liquid Lounge and The Light Bar, Sussex Police accept that, despite exercising diligence to accurately source these incidents, some of those cited may have originated from The Light Bar. In some cases, the failure of the management team to report these incidents has contributed to the possibility of discrepancies.

.....

Saturday 17th November 2012 (03:19 hours)

Door Staff removed a male patron from the premises. During this process, a bag of pills, believed to be 'ecstasy', fell from his pocket and the male was subsequently arrested by police for possession of Class A controlled drugs. The arresting officer noted that the male was 'very intoxicated.' The suspect was unable to comply with the 'booking in' process at custody due to being 'too drunk.'

Sunday 4th November 2012 (approximately 03:00 hours)

Two females attended the premises, arriving at approximately 23:00 hours. One of the females alleged that a male befriended her before leading her out of the smoking area of the club to a nearby public place, where he raped her. The other female informed the police that she considered herself as 'pretty drunk' when she entered the Liquid Lounge. Both females consumed a number of drinks at the nightclub. The victim's friend described herself as being 'smashed' and believed the victim was similarly drunk. She then admitted to being very ill at the end of the evening and vomiting outside the premises. Both females stated that they had difficulty in recalling events throughout the whole evening. The premises possess an 'I.D Scan' machine but, as it is not a condition of the premises licence, it was not in use. Consequently it was not possible to check who had been in the premises that evening.

Friday 2nd November 2012 (03:28 hours)

The police received a call from a member of the public stating that a male had been assaulted and was outside Liquid Lounge on the floor. On police arrival, the offenders had left the scene. Two males had been assaulted one had been punched to the back of the head and the other kicked in the face. Police located a male in the local area and he was subsequently arrested for assault occasioning actual bodily harm (ABH). It was later established that during the assault, one of the victims requested that a member of public seek assistance from the door staff at Liquid

Lounge. As a result, door staff attended and assisted the victim and told the assailant and his friend to leave the area. An ambulance was called and the victim was conveyed to Worthing Hospital where he was too incoherent to give an account of events, making it difficult to ascertain the level of injury sustained. The victim, who had been drinking at the Liquid Lounge, was drunk and had been ejected from the premises at approximately 02:15hrs. It was later established that the assailant was also believed to have been drinking at the Liquid Lounge. The suspect was unable to comply with the 'booking in' process at custody due to being 'too drunk.'

Saturday 27th October 2012 (01:43 hours)

A male inside the venue was engaged in conversation by another male who, without provocation, punched the victim with force to the right side of his jaw, before punching him again to the left side of his face. This caused the victim to collapse on the floor. The offender then continued to punch the victim repeatedly in the face until door staff restrained him. Despite two uniformed police officers arriving within six minutes of the offence to carry out a routine licensing visit, this serious assault was not reported to them. The suspect was permitted to leave the premises and staff escorted the victim to the toilets so that he could wash the blood off his face. The venue staff refused to call for an ambulance and instead instructed him to walk to Worthing Hospital despite the victim stating that he was suffering great pain. The victim believed that door staff would inform the police and sat down on the wall outside The Light Bar. A member of the door staff team then helped him to his feet and 'ushered' him away from the venue. A Consultant at Worthing Hospital attended to the victim and confirmed that the assault had fractured his jaw in two places and that he now required facial surgery. The victim was transferred to St. Richard's Hospital in Chichester. Police were informed of the assault at 06:06hrs when a friend of the victim reported the incident. The crime scene was not preserved and CCTV inside the venue did not capture the assault, which has now been recorded as a grievous bodily harm (GBH). The premises were not using their 'I.D Scan' system, which would have retained details of the suspect.

Sunday 21st October 2012 (04:50 hours)

Police Officers responded to a disturbance outside Liquid Lounge and located a drunk male being helped up from the pavement by a passer-by. The aggrieved stated that another male had become verbally aggressive with him before punching him in the face. The victim had facial injuries consisting of a bleeding mouth and forehead and a chipped tooth. An ambulance was called and the victim was conveyed to Worthing Hospital. Officers described the victim, who had previously been drinking at the Liquid Lounge, as being very intoxicated. Shortly afterwards, two male suspects were located and arrested for assault occasioning actual bodily harm (ABH). Both had 'Liquid Lounge' stamps on their hands and admitted to having been recently inside the venue. Both were incapable of signing for their rights at custody due to being too drunk.

Saturday 20th October 2012 (01:22 hours)

Police officers outside Liquid Lounge requested assistance when they witnessed numerous people being ejected from the premises and disorder occurring outside the venue. A male patron felt compelled to intervene, stopping two males from punching a female before the police assumed control. A female reported being hit on the head by another female whilst on the dance floor inside the premises. This offender was arrested for assault occasioning actual bodily harm (ABH). The offender stated that she had been assaulted by the initial victim's friend outside the venue; this led to the arrest of a second female for assault occasioning actual bodily harm (ABH). Both

females were incapable of signing for their rights due to being too drunk. Both admitted the assaults. The assault inside the premises was not captured on CCTV.

Sunday 9th September 2012 (01:20 hours)

Between 01:20 hours and 03:30 hours officers from the Sussex Police Licensing Team made a number of un-scheduled visits to the premises. Within moments of arriving, the officers witnessed two males both clearly displaying signs of drunkenness. The men, having paid an entry fee to James Lanz, were allowed to enter the premises unchallenged. Following police intervention, both males were ejected and their entrance fee refunded. Officers noted that one of the males was so drunk he was incapable of speaking coherently.

Further observations indicated that the door staff failed to make any proactive interventions until they became aware of the police presence. Officers witnessed intoxicated persons moving freely into the smoking area and back into the premises, unchallenged by door staff, despite them being unable to stand without the use of the adjacent fencing.

Two very drunk males were also seen in the smoking area drinking directly from champagne bottles. While door staff eventually removed the bottles, these were handed back to the customers on re-entering the premises.

The atmosphere in and around the smoking area and at the front of the premises was considered by the officers to be unpleasant and aggressive due to the high levels of drunkenness. This also led to patrons using vociferously offensive, foul and abusive language.

Saturday 21st July 2012 (03:00 hours)

A seventeen year old male was seen by police officers to leave the venue. He was clearly in an extremely intoxicated state. An officer stated that he was walking into parked cars and had difficulty standing up. This male was joined by another seventeen year old male, who had similarly come out of the venue. This second juvenile was also intoxicated. The first male approached another group of patrons who had left the venue. Shortly afterwards he was assaulted by someone from this group and suffered a facial injury. This drunken male then required the attention of both the police and ambulance staff.

Friday & Saturday 20th & 21st July 2012

During this weekend, Sergeant Fisher was responsible for policing the night-time economy. He reported that on Friday 19th July, on three occasions, he had been approached by patrons from the Liquid Lounge who had been assaulted by other patrons within the club and had been ejected from the premises by door staff. One complainant had clearly suffered a swollen lip from an assault and was seen by Sergeant Fisher to be loitering by the door to Liquid Lounge before entering into a heated verbal altercation with a group of males who were leaving the venue. The police were not made aware of any assaults at the premises that night. When Sergeant Fisher spoke to James Lanz on Saturday night, stating that he had been informed by three members of the public that they had been assaulted within the premises and ejected by his door staff, James Lanz replied that he was unaware of any assaults at the venue on Friday night.

Sunday 24th June 2012 (03:30 hours)

A male patron was on the dance floor when he bumped into another male who

punched him in the face causing a cut to the victim's nose and swelling to his right eye. The injuries were consistent with an actual bodily harm (ABH) offence. The assailant was not located by door staff and the CCTV within the premises failed to capture the incident.

Saturday 12th May 2012 (02.22 hours)

A male patron was on the dance floor when he was punched hard in the face. The attack was unprovoked and caused the male to collapse, suffering from 'indescribable pain in the jaw.' Despite a member of the Liquid Lounge staff witnessing the assault, the offender was able to leave the club unchallenged.

An ambulance was not called and the police were not alerted to this serious assault despite being on patrol outside the premises.

The manager, James Lanz, transported the victim to Worthing hospital, dropping him outside the front entrance.

Sussex Police contend that this was a deliberate act to avoid bringing the matter to the attention of police.

The victim was later transferred to St. Richard's hospital in Chichester where it was confirmed that his jaw had been fractured in three places and required three plates and eight screws to be inserted into his gums. The victim was informed that it would take three years for the bones to re-set.

As a result of not informing the police, the crime scene for this grievous bodily harm assault (GBH) was not preserved for forensic examination and the likelihood of identifying the suspect was therefore greatly reduced.

The police were informed of this assault by a friend of the aggrieved on Saturday afternoon as he was unable to contact the police on account of the nature and extent of his injuries.

Sunday 22nd April 2012 (01:58 hours)

Police outside the premises noticed a member of door staff respond to an incident inside the premises and enquired what was occurring. He was informed that a male patron had been assaulted in the toilets and was currently unconscious. When the suspect was brought out, he was promptly arrested. It was clear that the suspect was drunk. The officer then observed the aggrieved and his friend exiting the premises, both were described as being 'extremely intoxicated'. These males became verbally abusive to police officers, requesting to be left alone; as such, the detained drunken suspect was de-arrested.

Sunday 22nd April 2012

Police received a complaint from a female who had attended Liquid Lounge on Saturday 21st April. She felt unwell at the premises and collapsed outside the front when she went out for some air. She described being carried back inside the premises and being taken to 'Tokyo 31', a room within Liquid Lounge which was empty at the time. She was left there unattended. After approximately twenty minutes, she attempted to leave but realised that she had been locked into the premises. The female then used the fire escape to exit and called a taxi. Staff knew that the female's partner was the D.J currently playing at the club and they failed to inform him that she had collapsed.

Sussex Police contend that the staff at the premises failed to demonstrate any duty of care towards the vulnerable female; they failed to call an ambulance or to advise anybody of her condition.

20th April 2012 Letter sent to Peter Mott

The Sussex Police Licensing Team sent a letter to Peter Mott (DPS) stating that the 'I.D Scan' system currently used at the premises was sub-standard and two sexual assault investigations involving patrons from Liquid Lounge had been hampered due to its shortcomings. The letter also stated that there were increasing reports of drunkenness at the premises with police officers witnessing customers leaving the Liquid Lounge extremely intoxicated. The DPS was advised to bring this to the attention of the staff at the premises and remedy the situation.

Saturday 14th April 2012 (02:18hours)

A male was dancing with his friend at the premises when he was punched in the back of the head in an unprovoked attack. The suspect was removed from the club. The aggrieved's friend reported this assault to the police as the staff at the premises had failed to do so. The offender was arrested and was unable to comply with the 'booking in' process at custody due to his drunken state. He was later cautioned for common assault.

Friday 13th April 2012 (04:20 hours)

Two females had entered the premises just before midnight. Inside, they met a male who refused to leave them alone. The girls later became separated whilst purchasing drinks. One of the females stated she was physically escorted from the premises by this male and then raped by him. The victim stated that she was extremely drunk and incapable of walking unaided. The matter was investigated by Sussex Police as a serious sexual assault.

Sunday 8th April 2012 (02:00hrs)

A police officer contacted the Licensing Team in order to check conditions regarding entry/re-entry times to the premises. The officer stated that a minimum of 15 persons had been allowed direct entry to Liquid Lounge after 01:30hrs and that this was a regular occurrence. It was noted that these were not smokers re-entering the premises.

This is in contravention of the licence conditions, which restricted entry beyond this time to Le Chic, an adult entertainment venue. It was also stated by PC Swietlik, a police licensing officer, who contacted James Lanz and advised him of the breach. Mr Lanz was apparently unaware of this condition. PC Swietlik advised that he should refer to the premises licence as a condition states:

The latest entry/re-entry times to the premises by the public shall be:

Monday to Wednesday 01.00hrs

Thursday to Saturday 01.30hrs

Entry to Le Chic 02.00hrs

With the exception of customers that have left the premises to smoke and have remained within the specially designated and cordoned smoking area adjacent to the nightclub.

Friday 6th April 2012 (02:15 hours)

Police officers on patrol outside Liquid Lounge called for urgent assistance when a

fight broke out between two males in the smoking area at the premises. Both males sustained injuries and were arrested by police for assault and public order offences. Both were unable to comply with the 'booking in' process at custody due to their drunken state. One of the males received a police caution.

Saturday 31st March 2012 (02:26 hours)

Police officers on patrol outside Liquid Lounge called for urgent assistance when a male was forcibly ejected from the premises by door staff. Officers saw the male thrown down onto the pavement and noted that he had sustained a head injury as there was blood running down his forehead and face. When police attempted to intervene, the male started to swing punches at a member of the door staff. The two officers had difficulty restraining the male, who they described as 'clearly drunk' and smelling of 'intoxicating liquor'. As the police grappled with this aggressive male, door staff stood back and failed to assist. The male was sprayed with pepper spray but attempted to grab a body-worn camera unit from the officer. He was arrested for affray, drunk and disorderly, threats to kill, threats to commit arson with intent to endanger life and resist arrest. At custody, he was unable to comply with the 'booking in' process due to his drunken state. This male was charged with drunk and disorderly and threats to cause criminal damage.

Friday 23rd March 2012 (01:45 hours)

A male on the dance floor was head-butted in the face by another male causing his front tooth to chip and knocking him to the floor. The assault was reported to a member of the door staff and the offender was removed from the premises. The management failed to notify police of the alleged assault, which was reported by the aggrieved later in the day. CCTV at the premises failed to capture the assault but showed the suspect being escorted out of Liquid Lounge followed by two members of the door staff. When questioned, a member of the door staff informed the police that the male was asked to leave the premises because he was 'too drunk'.

Sunday 4th March 2012 (02:56 hours)

A drunken male who was ejected from the premises contacted Sussex Police and began to remonstrate about the way the door staff had treated him. He explained that he had a duty of care for two 'drunken females' who were still inside the club.

Sunday 4th March 2012 (03:05 hours)

Police officers on patrol outside the Liquid Lounge were alerted to a male being restrained by door staff after being identified as having punched another male inside the premises. The victim was located and had blood pouring from his nose. He was taken to Worthing hospital with a suspected fracture to the nose. The offender was arrested for assault occasioning actual bodily harm (ABH). He was unable to comply with the 'booking in' process due to his drunken state and in interview he admitted to being drunk. He later received a police caution for common assault.

Saturday 3rd March 2012 (03:46 hours)

Police received an emergency call from a female stating that her boyfriend had been assaulted inside Liquid Lounge. She reported that he had blood coming from his lip and nose and he had bruising to the head. She also described him as being 'very drunk.' An ambulance was called to attend to him.

A witness stated that the aggrieved had been attacked on the dance floor. CCTV showed the male leaving the club, but failed to capture the assault. The victim was

spoken to and admitted to being very drunk at the time.

Saturday 11th February 2012 (02:00 hours)

A male was ejected from the premises due to his drunken behaviour. Witnesses stated that the male was seen to stumble down some of the stairs with two door supervisors, landing heavily on the pavement outside. The male sustained an injury and was taken to Worthing Hospital.

Sunday 27th November 2011 (03:00 hours)

Police officers were approached by an exceedingly drunk female at the taxi rank in Worthing town centre. She had difficulty standing upright and speaking coherently. Officers ascertained that she had just come from Liquid Lounge after being sexually assaulted on two occasions. She described how she had punched the male offender in the face after each sexual assault and was ejected by door staff after the second incident. She was in company with another drunk female who had been with her at Liquid Lounge. Both stated that they had no money for taxis as this had been used to purchase shots at the nightclub.

No assaults had been reported to Sussex Police by the management of Liquid Lounge.

Saturday 5th November 2011 (00:35 hours)

Police observed a male being ejected from Liquid Lounge; he was clearly drunk and in an agitated state. Officers moved the male away from door staff to avoid further confrontation. Despite being warned for using foul and abusive language, the male continued to verbally abuse the officers and was arrested for a public order offence. The male attempted to bite an officer whilst being restrained and assaulted another officer by kicking her in the arm whilst being conveyed to custody. Once in custody, he was unable to comply with the 'booking in' process due to being 'very drunk'. This male was charged with a public order offence and assault police.

Saturday 24th September 2011 (01:30hours)

A female patron found two females looking through her hand bag and, after finding that items of her property were missing, reported the suspects to the management. The management arranged for the females to be searched and took their details, but failed to report the matter to the police, allowing the suspects to leave. The female reported this to the police later in the day. She stated that James Lanz had reassured her that he would call the police at the time.

Sunday 3rd September 2011 (approximately 02:00 hours)

A female contacted police to report that she had been assaulted whilst at Liquid Lounge. When inside the nightclub a female asked her to come outside. Once outside the premises and in view of two members of staff, one of whom was a member of the door staff, she was head-butted by the female. The assailant was subsequently ejected from the premises. The police were not called to deal this incident.

After a short period, the victim went outside to the smoking area. The assailant, now across the road with her friend, noticed the victim and started shouting abuse. The victim remained standing next to a member of the door staff and turned her back, not wishing to engage in conversation. The victim was then subjected to a further assault as her hair was grabbed forcefully, pulling her head backwards. The door staff

intervened and local police officers attended the scene.

Two females were arrested in connection with the assault, one of whom had also assaulted a police officer during the struggle to maintain order outside the nightclub. The CCTV from the premises failed to show the incident and staff at the premises were unable to assist with police enquiries, resulting in no further action taken.

Saturday 27th August 2011 (approx 01:00 hours)

A male was ejected by door staff from Liquid Lounge and proceeded to be abusive to both members of the door staff and police officers within clear hearing of members of the public. Police requested that the male desist but were ignored. The male was highly intoxicated and when arrested for a public order offence, he resisted arrest. The male's aggression and drunkenness made it necessary to forego usual 'booking in' procedures at custody and he was taken directly to a cell. He was later charged with a public order offence and assault police.

Saturday 30th July 2011 (approx 23:59 hours)

A male and his girlfriend attended Liquid Lounge at approximately midnight. While at the premises the male recognised a female who approached him and exchanged a few words. The female then turned and punched the male in the face causing pain, bruising and swelling to his nose. She then head-butted him in the face. Door staff at the premises proceeded to eject the assailant. After a short interval, the offender was allowed re-entry to the premises whereupon she immediately returned to the victim and committed a further assault punching him to the face, causing further pain and reddening. On becoming aware of this further incident both the aggrieved and the alleged assailant were ejected from the premises by the door staff. The management failed to notify Sussex Police of these assaults and CCTV from the premises failed to show the incident.

18th July 2011 Meeting at Chatsworth Road Police Station

The Police Licensing Team invited Peter Mott the Designated Premises Supervisor and representative of the Premises Licence holder, together with James Lanz the premises manager to a meeting in order to address the unacceptably high level of reported incidents at the premises.

It was explained that since the last meeting with James Lanz on 27th May 2011, Liquid Lounge had the highest amount of recorded incidents in West Sussex. In addition to this, Liquid Lounge showed the highest level of drunk and disorderly incidents in the whole Sussex Police Authority area.

Both Peter Mott and James Lanz explained that they had introduced measures to reduce these problems, including altering music and lighting and pricing tariffs, re-positioning the CCTV and re-assessing the staff training and admission policy.

It was made clear that the number of assaults and drink-related incidents needed to be addressed. Sussex Police also stated that it was imperative that the management monitor those queuing at the Liquid Lounge and make early assessments whether or not to allow individuals entry due to their intoxication.

Saturday 9th July 2011 (02:45 hours)

Having spent the evening drinking with friends in Worthing, a male proceeded to the nightclub at around midnight and was permitted entry. At approximately 02:45 hours he was punched in the face in an unprovoked attack.

The victim suffered whiplash, a cut upper lip, a cut internal upper gum and damage to two lower teeth. The victim later required root canal surgery and two teeth re-capping. The victim also suffered breathing problems due to a suspected fractured nose.

The assault was not reported to the police on the night by the premises management. Following later enquiries an arrest was made. The suspect admitted the offence and admitted to becoming drunk at Liquid Lounge and was charged with assault occasioning actual bodily harm (ABH).

Saturday 25th June 2011 (02:49 hours)

At 02:30 hours police officers observed two males entering Liquid Lounge and were of the opinion that due to their obvious drunkenness, they should not have been allowed access to the premises. The males later left the venue in the company of a third male and subsequently became aggressive with door staff, provoking a fight. A few moments later the males were again seen to start trouble at the taxi rank. Two of them were subsequently arrested by officers for being drunk and disorderly. It is the opinion of the police officers present that none of these events would have occurred had the males not initially been admitted to Liquid Lounge.

Thursday 23rd June 2011 Meeting at Liquid Lounge

Police Licensing Officers attended the premises and spoke with James Lanz regarding their concerns about drunken patrons being ejected from Liquid Lounge and then causing disorder outside the premises. The Licensing Officers also stated that they had received reports of door staff being 'heavy-handed' when interacting with patrons. Advice was given regarding door staff being more discerning as to who was allowed entry into the premises and to monitor signs of drunkenness in the queue. James Lanz agreed to act on the advice and conduct door staff training.

Sunday 19th June 2011 (00:10 hours)

Two male patrons were ejected from the premises for being drunk. One male became abusive and disorderly outside the premises and was issued with a Section 27 'direction to leave the vicinity' notice. He failed to comply and was subsequently arrested. The second male was similarly issued with a ticket, which he also failed to comply with. He then became abusive and threatening and was arrested for a public order offence after attempting to head-butt a police officer. The first male had to forego 'booking in' procedures due to being too drunk. The second male similarly had to forego usual 'booking in' procedures; this was due to his aggression and drunkenness. The first male received a police caution and the second male was charged with a public order offence.

Sunday 12th June 2011 (01:00 hours)

A male patron was in the smoking area outside the premises when he became involved in a verbal altercation with another male. He was threatened with violence and punched in the face. The assailant then re entered the premises. The management then gave the victim a lift to hospital, but failed to report the assault to

the police.

The victim underwent a forty five minute operation to his face which involved twenty two stitches being administered.

Because the matter was not reported by the management, the offender was never located and the crime was undetected.

Tuesday 31st May 2011 (02:00 hours)

Following a call to police, officers attended Liquid Lounge where a male was causing a disturbance after being ejected from the premises. The male was intoxicated and was subsequently arrested for being drunk and disorderly. At custody, he was unable to comply with the 'booking in' process due to his drunken state. He was issued with a penalty disorder notice for drunk and disorderly.

Friday 27th May 2011 Meeting at Centenary House Police Station

Sergeant Simon Morgan called a meeting with the management of Liquid Lounge. James Lanz attended and represented Peter Mott (DPS) who was not able to attend. The recent spate of serious assaults inside and in the immediate vicinity of the premises was discussed as were the reports of patrons becoming drunk at Liquid Lounge. It was pointed out that there was a clear correlation between drunkenness and the frequency and severity of assaults at Liquid Lounge. It was requested that the management take immediate positive action to ensure that drunks are not admitted to the premises and that no sales of alcohol are made to patrons who are drunk.

Saturday 21st May 2011 (02:45 hours)

Police officers deployed outside Liquid Lounge were alerted to an incident within the premises. Two male patrons, having exchanged words, were leaving the premises with the intention of fighting outside. At the top of the stairs one male was grabbed by a member of the door staff, who pinned his arms behind him. This allowed the first male to land three or four punches to his face before heading down the stairs. The restrained male shook off the member of door staff and lunged at his assailant. This attack resulted in both males falling down the stairs causing them to land on a female, who was also on the stairs. The two males continued fighting and required restraining. The female suffered considerable and potentially life-threatening injuries; namely a severely torn liver with a laceration of 6.5cm by 5cm and suspected broken ribs. One of the males sustained a suspected broken bone in his right hand. One male was later charged with grievous bodily harm (GBH); this was the same male who had been arrested for punching another patron inside the Liquid Lounge on Friday 8th April and, similarly, inflicting GBH injuries.

Friday 13th May 2011 (03:30 hours)

Police officers on duty became aware of a large group of people being spoken to by door staff. Officers stopped but were advised by the door staff that there were no issues with the group. The officers drove away but having completed a circuit, returned to Chatsworth Road where they again witnessed the group of males in close proximity to a male lying prone on the ground.

It was established that the victim had been assaulted by two males who, having punched the victim to the floor, proceeded to kick him and to stamp on his head. Bleeding from a head wound, he had sustained further injuries to his eyes, a

suspected broken nose, a fractured jaw and a swelling to the back of the head. The victim was extremely intoxicated and incapable of talking coherently. A second victim was later identified and stated that he was also knocked to the ground and kicked in the head. The suspected assailants, who had been drinking at the Liquid Lounge, left the scene as police arrived. Police enquiries were hampered as witness statements were vague on account of the levels of intoxication. The victims had also been drinking at the Liquid Lounge.

Saturday 30th April 2011 (03:00 hours)

A male patron informed police outside the premises that he had just been attacked on the dance floor. It was apparent that he had sustained facial injuries. He stated that whilst on the dance floor he was grabbed around the neck by his girlfriend's ex boyfriend, dragged to the floor and kicked a number of times in the head and body. The offender was located inside the club and arrested on suspicion of assault occasioning actual bodily harm (ABH). At custody the offender required checks every 30 minutes due to his drunken state. He received a police caution for common assault.

Friday 29th April 2011 (00:47 hours)

A male patron was ejected from the premises for being too drunk. Two other males, who had been drinking at the Liquid Lounge, were sitting on a wall opposite the venue. One of these males, who admitted that he had become drunk inside the Liquid Lounge, shouted at the ejected male, who approached them in a threatening manner. A fight ensued between all three males and when a police officer attempted to break up the altercation, the officer was punched to the face, sustaining an injury above his left eye. One male was arrested for affray and assaulting a police officer. At custody the offender required checks every 30 minutes due to his drunken state.

Friday 8th April 2011 (23:15 hours)

Whilst on the dance floor within the venue, a male patron head-butted another male, who retaliated by punching him in the face. The male who had been punched was ejected from the premises, whilst his assailant was permitted to stay. The ejected male sustained a fractured cheekbone consistent with a grievous bodily harm (GBH) injury. The management failed to report the assaults to the police and failed to preserve the crime scene. Door staff later informed the police that the victim had been ejected from Liquid Lounge the previous week for head-butting another patron.

.....

Sussex Police contend that the Designated Premises Supervisor and the management team of this premises have systematically failed in their duty to promote the licensing objectives. The continuing occurrence of violent incidents, drunkenness and the failure to report incidents to the emergency services not only contravenes the licensing objectives, but gives Sussex Police a clear indication that Liquid Lounge is being operated in such a way that it currently presents both a real danger to the patrons at the premises and a detriment to the wider local community.

Sussex Police contend that it is necessary and appropriate that the Licensing Committee gives very serious consideration to the revocation of the Premises Licence, thereby preventing the risk of further injury and protecting the public.

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature



Date 22nd November 2012

Capacity Force Licensing and Public Safety Manager
Sussex Police

| | |
|--|--|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) Sergeant Morgan Licensing Team Centenary House Durrington Lane Worthing West Sussex BN13 2PQ | |
| Telephone number (if any 01243843666) | |
| If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) | |

Mrs J Irving
Force Licensing & Public Safety Manager
c/o Sgt. Simon Morgan
Licensing Team
Sussex Police
Centenary House
Durrington Lane
Worthing
BN13 2PQ

Our Ref: EH/Lic.U/03Lic Act/simon/LN/000001196&LN/000001195/Reviews
Tel: 01273 263191 e-mail:simon.jones@adur-worthing.gov.uk

30 January 2013

Dear Mrs Irvine

Licensing Act 2003 - Section 51
Applications for the Review of Premises Licences: LN/000001196 & LN/000001195
Liquid Lounge & Light Bar
31 Chatsworth Road, Worthing, BN11 1LY

Sussex Police made the above applications to the licensing authority, Worthing Borough Council, on the 23 November 2012. The 'Review' applications sought the revocation of both the above licences. The applications were correctly made as defined in the Act and further relevant representation was received during the statutory consultation period regarding both applications. As the issuing authority it fell to members to determine.

1. **APPLICANT**
Sussex Police - Force Licensing & Public Safety Manager – Mrs Jean Irving
2. **LICENCE HOLDERS / PREMISES**
Peter Mott & Barry Wells T/A Lounge Leisure Group/ Light Bar & Liquid Lounge
3. **DATE OF HEARING**
23 January 2013.
4. **RESOLUTION**
 - a) It was resolved that an amended mediated agreement, regarding both licences, reached between the applicant and the licence holders be approved.
 - b) The following conditions were imposed on the licences:

Liquid Lounge

- i) That the Designated Premises Supervisor Peter Mott be removed;
- ii) That the premises licence be varied as follows;

| Day | Start /Cease Licensable Activities | Finish Close |
|--------|------------------------------------|--------------|
| Sunday | | |
| Monday | 19:00 / 02:00 | 02:30 |

| | | |
|-----------|--|---|
| Tuesday | 09:00 / 02:00 | 02:30 |
| Wednesday | 19:00 / 02:00 | 02:30 |
| Thursday | 19:00 / 02:30 Alcohol - 03:00 Regulated Entertainment | 03:20 Closure |
| Friday | 19:00 / 02:30 Alcohol - 03:00 Regulated entertainment | 02:30 Supply of Alcohol 03:20 Closure |
| Saturday | 19:00 / 03:00 Alcohol and Regulated entertainment | 03:20 Closure |

- iii) That there is a suspension of premises licence for a period of three weeks. The suspension period will commence immediately at the end of the appeal period;
- iv) Security industry Authority (SIA) door supervisors shall be employed through an external contract company;
- v) SIA trained and licensed door supervisors shall be in attendance when the public is present and until 30 minutes after the closure of the premises in order to effectively operate a dispersal policy in Chatsworth Road;
- vi) Management shall adopt a dispersal policy which will be implemented by the door staff. This will be agreed with Sussex Police to prevent groups gathering and engaging in altercations. Records shall be made available to the local licensing authority and/or Sussex Police upon request;
- vii) SIA door staff shall utilise functioning body worn videos at all times when they are on duty;
- viii) Those performing the role of door supervisor shall not perform any other role when engaged for the purpose of door supervision activities. Door supervisors shall be fully briefed prior to work with clear written instructions regarding their specific duties including an awareness of persons banned from the premises. These records shall be made available to the local licensing authority and/or Sussex Police upon request. A member of the SIA door staff to be permanently located and actively patrolling within the smoking area while the premises licence is in operation or until the area has been emptied of patrons at closing time;
- ix) An identification scanning system with a strict no ID/no entry policy shall be operated at all times licensable activities are taking place unless prior written agreement with Sussex Police has been obtained or the system has suffered mechanical breakdown beyond the control of the proprietor. Information from the system shall be made available upon request to the Police in accordance with the Data Protection Act. Any breakdown or system failure will be reported to the Police immediately and remedied as soon as practicable;
- x) Entry be restricted to those patrons whose ID has been scanned into the ID scanner system operated by the premises;
- xi) A challenge 25 Policy will apply with regard to the sale of alcohol. Any person who appears to be under the age of 25 shall be required to provide satisfactory photographic evidence that they are 18 years old or over before being sold or supplied with any alcoholic drink, or on entry should the ID scan system become inoperative;
- xii) No games shall be conducted in the premises whereby alcohol or bar credit is given as a prize in any manner or form;

- xiii) An incident management policy shall be drawn up in agreement with Sussex Police and shall be implemented at all times while the premises is conducting licensable activities until 30 minutes after closing time.
- xiv) An incident/refusals register shall be maintained and kept on the premises to record refusals and incidents of crime and disorder. These records shall be made available to the local licensing authority and/or Sussex Police upon request;
- xv) Staff Members to be engaged in selling alcohol on the premises shall receive full training pertinent to the Licensing act, in particular but not exclusively in regard to age restricted sales and the refusal of sales to persons believed to be under the influence of alcohol or drugs;
- xvi) Induction training must be completed and fully documented prior to the sale of any alcohol by the staff member and refresher training thereafter at intervals no less than 8 weeks. All restricted sales training undertaken by staff members shall be fully documented and recorded;
- xvii) All training records shall be made available to Sussex Police , Local Authority Licensing Officers and the Local Trading Standards service upon request;
- xviii) CCTV to be installed in accordance with Home Office guidelines relating to UK police requirements for digital CCTV systems covering the entire premises including the outside areas/front of premises;
- xix) CCTV images shall be retained for at least 28 days and except for mechanical breakdown beyond the control of the proprietor, shall be made available upon request to the police. Any breakdown or system failure shall be notified to the Police and immediately remedied as soon as practicable;
- xx) It will be the responsibility of the DPS or duty manager to ensure that any requests from the police for a recording to be made for evidential purposes is carried out as soon as possible in compliance with the data protection act;
- xxi) All drinking glasses and bottles shall be of polycarbonate or tempered glass. Where products are only available in glass bottles, the contents shall be decanted prior to service;
- xxii) The Adult entertainment authorisation in respect of the Liquid Lounge premises be removed;
- xxiii) No drinking vessels shall be permitted in the smoking area save for drinking vessels containing water;
- xxiv) That the licence for the provision of late night refreshments be brought into line with the rest of the agreement;

Light Bar

- i) That the Designated Premises Supervisor Peter Mott be removed;
- ii) That the premises licence be varied as follows;

| Day | Start / Cease | Close of Premises |
|---------|---|-------------------|
| Sunday | 12:00 / 00:30 Alcohol Sales & Regulated entertainment | 01:00 |
| Monday | 11:00 / 02:00 Alcohol & Entertainment | 02:30 |
| Tuesday | 11:00 / 02:00 Alcohol & | 02:30 |

| | Entertainment | |
|-----------|--|---------------|
| Wednesday | 11:00 / 02:00 Alcohol & Entertainment | 02:30 |
| Thursday | 11:00 / 02:30 Alcohol 03:00 Regulated Entertainment | 03:20 Closure |
| Friday | 11:00 / 02:30 Alcohol 03:00 Regulated entertainment | 03:20 Closure |
| Saturday | 19:00 / 03:00 Alcohol and Regulated entertainment | 03:20 Closure |

- iii) That there is a suspension of premises licence for a period of three weeks. The suspension period will commence immediately at the end of the appeal period;
- iv) Security industry Authority (SIA) door supervisors shall be employed through an external contract company;
- v) SIA door staff in relation to the Light Bar shall be employed every night from 22:00 or when regulated entertainment commences and until 30 minutes after the closure of the premises in order to effectively operate a dispersal policy in Chatsworth Road. At all other times when licensable activities are taking place, a written risk assessment shall be agreed with Sussex Police;
- vi) Management shall adopt a dispersal policy which will be implemented by the door staff. This will be agreed with Sussex Police to prevent groups gathering and engaging in altercations. Records shall be made available to the local licensing authority and/or Sussex Police upon request;
- vii) SIA door staff shall utilise functioning body worn videos at all times when they are on duty;
- viii) Those performing the role of door supervisor shall not perform any other role when engaged for the purpose of door supervision activities. Door supervisors shall be fully briefed prior to work with clear written instructions regarding their specific duties including an awareness of persons banned from the premises. These records shall be made available to the local licensing authority and/or Sussex Police upon request. A member of the SIA door staff to be permanently located and actively patrolling within the smoking area while the premises licence is in operation or until the area has been emptied of patrons at closing time;
- ix) An identification scanning system with a strict no ID/no entry policy shall be operated at all times when SIA Door staff are operating unless prior written agreement with Sussex Police has been obtained or the system has suffered mechanical breakdown beyond the control of the proprietor. Information from the system shall be made available upon request to the Police in accordance with the Data Protection Act. Any breakdown or system failure will be reported to the Police immediately and remedied as soon as practicable;
- x) When the ID Scanner is required entry be restricted to those patrons whose ID has been scanned;
- xi) A challenge 25 Policy will apply with regard to the sale of alcohol. Any person who appears to be under the age of 25 shall be required to provide satisfactory photographic evidence that they are 18 years old or over before

being sold or supplied with any alcoholic drink, or on entry should the ID scan system become inoperative;

- xii) No games shall be conducted in the premises whereby alcohol or bar credit is given as a prize in any manner or form;
- xiii) An incident management policy shall be drawn up in agreement with Sussex Police and shall be implemented at all times while the premises is conducting licensable activities until 30 minutes after closing time.
- xiv) An incident/refusals register shall be maintained and kept on the premises to record refusals and incidents of crime and disorder. These records shall be made available to the local licensing authority and/or Sussex Police upon request;
- xv) Staff Members to be engaged in selling alcohol on the premises shall receive full training pertinent to the Licensing act, in particular but not exclusively in regard to age restricted sales and the refusal of sales to persons believed to be under the influence of alcohol or drugs;
- xvi) Induction training must be completed and fully documented prior to the sale of any alcohol by the staff member and refresher training thereafter at intervals no less than 8 weeks. All restricted sales training undertaken by staff members shall be fully documented and recorded;
- xvii) All training records shall be made available to Sussex Police , Local Authority Licensing Officers and the Local Trading Standards service upon request;
- xviii) CCTV to be installed in accordance with Home Office guidelines relating to UK police requirements for digital CCTV systems covering the entire premises including the outside areas/front of premises;
- xix) CCTV images shall be retained for at least 28 days and except for mechanical breakdown beyond the control of the proprietor, shall be made available upon request to the police. Any breakdown or system failure shall be notified to the Police and immediately and remedied as soon as practicable;
- xx) It will be the responsibility of the DPS or duty manager to ensure that any requests from the police for a recording to be made for evidential purposes is carried out as soon as possible in compliance with the data protection act;
- xxi) All drinking glasses and bottles shall be of polycarbonate or tempered glass. Where products are only available in glass bottles, the contents shall be decanted prior to service;
- xxii) No drinking vessels shall be permitted in the smoking area save for drinking vessels containing water;

5. REASONS:

Members recognised that there were failures under the current system and the memorandum of agreement sought to rectify these problems.

It should be noted that the applicant, the licence holder and those who have made representations in connection with this application may appeal against this decision within 21 days by giving notice to the Justices' Chief Executive at Worthing Magistrates' Court, Christchurch Road, Worthing. If no appeal is lodged the suspension of the licence will come into effect on 22 February 2013. On which date all licensable activity must cease until 15 March 2013 when the amended licence will be issued with the additional conditions imposed.

If an appeal is lodged then the committee's decision is suspended until such time as the appeal has been disposed of by the courts.

Responsible Authorities and other parties, are reminded that they may apply for a further review of this licence if activities at these premises were to continue to undermine the licensing objectives.

The licence holder is reminded that it is a criminal offence under the Licensing Act to carry on licensable activities from any premises without a premises licence or in breach of a premises licence. The maximum penalty on conviction is six months imprisonment and a fine of £20,000.

If you have any queries regarding this matter please do not hesitate to contact me.

Yours sincerely

Simon Jones
Senior Licensing Officer

Appendix
C



Application for the review of a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I, *(insert name of applicant)*

Chief Inspector Ockwell
for and on behalf of the Chief Constable of Sussex Police

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

Part 1 – Premises or club premises details

Molotov Cocktail & Vodka Bar (formerly Retro/Light Bar)
Unit 1 Chatsworth house

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

31 Chatsworth Road

Post Town

Worthing

Post code (if known)

BN11 1LY

Name of premises licence holder or club holding club premises certificate (if known)

Lounge Leisure Group

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

LN/100001195

Sussex Police
Application for review of a premises licence
07/2015

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|-----------------------------------|
| Part 2 – Applicant details |
|-----------------------------------|

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|--------------|
| I am, |
|--------------|

| | |
|--|------------------------------|
| | Please mark X for yes |
|--|------------------------------|

| | |
|---|--------------------------|
| 1) an interested party (please complete (A) or (B) below) | |
| a) a person living in the vicinity of the premises | <input type="checkbox"/> |
| b) a body representing persons living in the vicinity of the premises | <input type="checkbox"/> |
| c) a person involved in business in the vicinity of the premises | <input type="checkbox"/> |
| d) a body representing persons involved in business in the vicinity of the premises | <input type="checkbox"/> |

| | |
|--|-------------------------------------|
| 2) A responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
|--|-------------------------------------|

| | |
|---|--------------------------|
| 3) a member of the club to which this application relates (please complete (A) below) | <input type="checkbox"/> |
|---|--------------------------|

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

| | | | | | | | | | |
|------------------------------|--------------------------|------------|--------------------------|-------------|--------------------------|-----------|--------------------------|---|--|
| Please mark X for yes | | | | | | | | | |
| Mr | <input type="checkbox"/> | Mrs | <input type="checkbox"/> | Miss | <input type="checkbox"/> | Ms | <input type="checkbox"/> | Other title (for example, Rev) | |

| |
|----------------|
| Surname |
| |

| |
|--------------------|
| First names |
| |

| | |
|---------------------------|------------------------------|
| | Please mark X for yes |
| I am 18 years old or over | <input type="checkbox"/> |

| | |
|--|--|
| Current postal address if different from premises address | |
|--|--|

| | |
|---|--|
| Daytime contact telephone number | |
|---|--|

| | |
|---------------------------|--|
| E-mail address (optional) | |
|---------------------------|--|

(B) DETAILS OF OTHER APPLICANT

| |
|--|
| Name and address |
| |
| Telephone number (if any) |
| |
| Email address (if any) |
| |

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

| |
|---|
| Name and address: Chief Inspector M Ockwell c/o Licensing Officer P Giddings Sussex Police West Sussex Divisional Headquarters Centenary House Durrington Lane, Worthing West Sussex BN13 2PQ |
| Telephone number (if any) 01273 404030 |
| (Email address (if any) WS_licensing_wor@sussex.pnn.police.uk |

| This application to review relates to the following licensing objective(s) | |
|---|--------------------------|
| Please mark X for yes (one or more boxes) | |
| 1) the prevention of crime and disorder | X |
| 2) public safety | X |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |
| Please state the ground(s) for review (please read guidance note 1) | |
| <p>On 23rd January 2013 there was a Review Hearing for the premises Retro, now known as Molotov, Chatsworth Road Worthing in conjunction with The Liquid Lounge night club; an adjacent and connected premises under the same ownership. At the hearing, the Licensing Committee decided to apply a number of conditions to the licence of both premises to ensure the Licensing Objectives were promoted and patrons were kept safe.</p> <p>A new licence, with the additional conditions applied, was issued to the owners (namely Barry Wells and Peter Mott) and management team (including James Lanz) who were in place at the time of the November 2012 Review, and have continued to own and manage the premises since that date.</p> <p>The Review Application from Nov 2012 is attached at Appendix A. The determination of the review hearing January 2013 is attached at Appendix B.</p> <p>Following the review of Retro, the premises continued to trade. After a short closure of less than two weeks in November 2016, it re-opened as the rebranded cocktail bar called Molotov.</p> <p>Since November 2016 Sussex Police and the Local Authority have had a number of interactions with the premises licence holders and the management, with regard to their failure to comply with the Licensing Act 2003 and with the conditions attached to the premises licence.</p> <p>A considerable number of serious breaches of the premises licence have been identified and concerns regarding intoxication of patrons have been raised. Sussex Police contend that the Designated Premises Supervisor (DPS) and Premises Licence Holders (PLH) have failed in discharging a duty of care to their patrons. This has culminated in the death of a mother of two who, having been drinking alcohol at the premises during the approx. 3 - 4 hours she was present, suffered a fatal accident shortly after leaving the premises. At the inquest, the coroner said: "I am minded to add a rider indicating that **** (<i>the deceased</i>) at the time, was under the influence of alcohol, and severely intoxicated, and that has led directly to her death"</p> <p>Sussex Police contend that the following licensing objectives have been seriously undermined:</p> <ul style="list-style-type: none"> 1) The prevention of crime & disorder 2) Public safety | |

Sussex Police
Application for review of a premises licence
07/2015

Please provide as much information as possible to support the application (please read guidance note 2)

Molotov Cocktail & Vodka Bar is located in the town centre, adjacent to One Club nightclub. Both Molotov and One Club are owned by the same Premises Licence Holders (PLH), Mr Barry Wells and Mr Peter Mott. Both premises are governed by the same management team.

It is a relatively small premises which re-opened following a short period of refurbishment (less than two weeks) in November 2016, using the Retro/Light Bar premises licence, as a cocktail bar with windows to the front, and with groups of tables and seating throughout. The premises licence permits the sale of alcohol on and off the premises, as below:

12:00 ~00:30 Sunday,
11:00 ~02:00 Monday Tuesday Wednesday,
11:00 ~02:30 Thursday Friday
11:00 ~03:00 Saturday (plus additional extensions for seasonal variations e.g. bank holidays)

The ability to provide live & recorded music and dance reflects the above hours but permits continuance until 03:00 hours following opening on Thursday, Friday and Saturday.

25th November 2016 23:10 hours (Friday)

PC Jones of the Neighbourhood Licensing Team (NLT) was in uniform and conducting licensing checks in the Worthing area in the company of Mr Simon Jones Licensing Officer from the Worthing Borough Council (WBC) licensing team. They attended Molotov where Mr. Jones explained that it was the opening night for the premises since it had been re-branded. The evening was attended by patrons from a private guest list. The DPS, Mr. Barry Wells, was present. Mr. Jones (WBC) asked Mr. Wells when he would be submitting a minor variation in relation to the change of the premises name and to the structural changes which had already been made at the venue. Mr. Wells responded that it would be as soon as possible. It was noted that the only windows, located the front of the premises, were now boarded over preventing natural light into the premises.

12th February 2017 01:40 (Sunday)

PC Jones, attended the premises in the company of Simon Jones Licensing Officer WBC. Mr. Wells, the DPS was not present, being out of the country on holiday. The general manager, James Lanz, was present and told them he was managing the premises.

The premises were due to close at 02:00hours and only a few customers remained. One male was observed sitting slumped in a booth with a partially consumed glass of beer in front of him. While he was apparently asleep, his manner suggested that he had surpassed his intoxication limit. PC Jones alerted a member of SIA door staff to the vulnerable male. The member of door team responded that he "would keep an eye on him". He took no further action walking away without making any check as to the man's wellbeing, nor removing the alcohol. This lack of positive action by the door supervisor was a surprise to PC Jones, but before he was able to intervene, the senior member of door staff escorting PC Jones and Mr. Jones, then approached and spoke to the member of SIA door team, who proceeded to wake the male and shortly after ejected him. The senior member of door team returned to the officers stating "sometimes you have to spell it out to them." Whilst nothing was said at the time, PC Jones felt the lack of positive action by the original SIA door person was completely unacceptable and demonstrated no attempt to check on patrons' welfare nor a willingness to keep people safe.

19th February 2017 (Sunday)

A female entered the premises at between 20:00 and 21:00 hours. The premises was described by the bar manager, Mr NA, as not busy with around 15 customers present during the evening. Members of staff at the premises provided differing accounts to Sussex Police regarding who was on duty and also the number of occasions the female was served alcohol. All deny serving her beyond her alcohol tolerance level.

A patron of the premises, Mr S, who has considerable experience of working within the licenced trade entered the premises at approximately 23:10 hours. A condition on the premises licence states that last entry to the premises on a Sunday is 2300 hours, therefore permitting this person to enter the premises at this time was a breach of the premises licence condition 16 of annex 2:

- 16. The latest entry/re-entry times to the premises by the public on any Sunday shall be 23.00hrs.

Mr S became aware of the female while he was at the bar ordering a drink. The female engaged him in conversation and it became apparent to him that she was extremely intoxicated and was having to hold onto the bar to steady herself. Mr S describes her as being unsteady on her feet with slurred speech and glazed eyes. After a while Mr S left the premises to smoke a cigarette. On his return he discovered the female drinking from his glass. Retrieving his drink he approached the bar manager Mr NA asking that he replace it with a fresh one, which Mr NA did. Shortly after this the female left the premises.

Mr S described the female as being 10/10 where 0 would represent sobriety and 10 the maximum state of intoxication.

At 01.02 hours Sussex Police received a report of the injured female having been located in Worthing town centre a short distance from the premises.

Sussex Police immediately instigated an investigation into this serious incident. DC Liau attended Molotov where members of staff were interviewed and copies of the CCTV footage of the evening requested. No one was able to provide a download of the CCTV from the premises which at the time hindered the police investigation. It also came to light that the CCTV system inside the premises had apparently ceased to function the day before the incident occurred. Sussex Police were not notified of this breakdown which is a breach of conditions 16, 17 and 18 annex 3 of the premises licence

- (16) CCTV to be installed in accordance with Home Office guidelines relating to UK police requirements for digital CCTV systems covering the entire premises including the outside areas/front of premises;
- (17) CCTV images shall be retained for at least 28 days and except for mechanical breakdown beyond the control of the proprietor, shall be made available upon request to the police. Any breakdown or system failure shall be notified to the Police and immediately and remedied as soon as practicable;
- (18) It will be the responsibility of the DPS or duty manager to ensure that any requests from the police for a recording to be made for evidential purposes is carried out as soon as possible in compliance with the data protection act;

The investigating officer, DC Liau, made numerous calls to Mr Lanz to obtain the CCTV footage without success.

22nd February 2017

Having failed to obtain the CCTV footage DC Liau, approached Mrs Giddings of the NLT to assist in obtaining the CCTV, which at this stage was crucial to the investigation. Mrs Giddings made contact with Mr Wells the DPS and it was confirmed that the required footage would be made available that day. An email confirming this request was forwarded to the premises email address. At 16:45 hours the same day DC Liau attended the premises to collect the footage. Mr Lanz stated, however, that it was not available as he had been busy. He also informed DC Liau that the CCTV footage from inside the premises could not be provided as it had not been working since Friday night. He stated he had an email to prove it. Eventually the external CCTV footage was provided to Sussex Police on 23rd February 2017.

While the CCTV footage from inside the premises is not available to Sussex Police, the footage provided which covers the outside of the premises, together with footage from other CCTV cameras in the area provides a clear indication of the high level of intoxication of the victim leaving the premises.

Police investigations have revealed that, at approximately 00:20 hours the female can be seen on CCTV from outside the premises walking west along Chatsworth Road. Further CCTV images later obtained clearly show the female using the walls and railings to steady herself as she attempts to walk alone along the road. The female suddenly disappears from view at approximately 00:23 hours and is later found fatally injured on a flight of steps.

(CCTV footage is available for the Committee to view, however it would be necessary for this to be shown 'in camera' out of respect for the lady's family)

SIA door supervisors were not on duty at the premises. No member of staff employed at the premises provided a duty of care for the vulnerable female who, barely able to walk unassisted, left the premises alone at approx. 00:20 hours.

Failure to employ SIA door staff is a breach of the premises licence annexe 3 condition 3

- (3) SIA door staff in relation to Retro shall be employed every night from 22:00 or when regulated entertainment commences and until 30 minutes after the closure of the premises in order to effectively operate a dispersal policy in Chatsworth Road. At all other times when licensable activities are taking place a written risk assessment shall be agreed with Sussex Police.

Furthermore the I.D Scanner was not in use hampering the process of identifying persons present at the premises during the evening. Therefore the breach of licence condition 3 annexe 3 above, caused a further breach of conditions 7 and 8 annexe 3, as below;

- (7) An identification scanning system with a strict no ID/no entry policy shall be operated at all times when SIA door staff are operating unless prior written agreement with Sussex Police has been obtained or the system has suffered mechanical breakdown beyond the control of the proprietor. Information from the system shall be made available upon request to the Police in accordance with the Data Protection Act. Any breakdown or system failure will be reported to the Police immediately and remedied as soon as practicable;
- (8) When the ID Scanner is required entry be restricted to those patrons whose ID has been scanned.

During February 2016 PC Vasey conducted vulnerability awareness training of staff at the premises, to reinforce the responsibilities, actions and duty of care necessary for persons selling alcohol on a licenced premises. This training was attended by James Lanz. PC Jones has since asked for records of other staff members who attended the training, but to date they have not been provided by the premises.

23rd February 2017 (Thursday)

PC Jones and Special Constable Robinson attended the premises and waited outside until Mr. Lanz arrived. The CCTV requested by DC Liau had still not been copied, so SC Robinson remained with Mr. Lanz, while the functioning cameras were checked, and the available footage was downloaded.

7th June 2017 13:45 (Wednesday)

PC Jones & PS Standing of the NLT visited the premises which was closed, however Mr. NA identified himself as a manager and invited the officers inside. It was established that Mr. NA had been at the premises and working on the night of 19th February 2017. He confirmed that he and Ms. JR had been on duty. PC Jones requested to see the duty roster for that day, but was advised that it was in One Club on the computer, which he could not access. PC Jones asked that the venue manager, Mr. James Lanz, contact him directly or the NLT providing the information.

While at the premises PC Jones noticed that the drink-ware on the bar was all glass. This contravenes condition 19 of annex 3 of the premises licence which was attached by the Licensing Committee on 23rd January 2013 following the review hearing. When this was pointed out to Mr. NA he stated that he was under the impression that they could use glass, and that the Licensing Authority had told them it was ok.

- (19) All drinking glasses and bottles shall be of polycarbonate or tempered glass. Where products are only available in glass bottles, the contents shall be decanted prior to service

8th June 2017 14:00 (Thursday)

PC Jones spoke with Mr Wells, the DPS, to establish the contact details of the premises bar staff. Mr. Wells advised PC Jones that the venue manager James Lanz was on holiday, but that the duty manager Mr. NA had the personnel details being requested.

The breach of condition (19) was also discussed. Mr. Wells confirmed that glass would not be used until the minor variation which he had just submitted, had been granted. He took this opportunity to request a meeting with Sussex Police to discuss a further variation of the licence. He stated that he had already been in consultation with the local authority and a further meeting with them was scheduled for the following week. Due to current workloads and staffing levels, Mr. Wells was advised to email the Neighbourhood Licensing Team office with the details of any changes he was considering. This would enable Sussex Police to give a considered response.

8th June 2017 14:45

Mrs Giddings, Divisional Licensing Officer, and PS Standing responded to a request from PC Jones to attend the premises as Mr Wells had informed him that Mr. NA had the bar staff personnel details previously requested. However upon their arrival Mr. NA stated he did not have them but that Mr. Lanz would be able to provide them. He was expected to return that afternoon. Mr. NA was informed that Mr. Wells had that said he would be able to assist Sussex Police obtaining the details. He then wrote down telephone numbers for 6 staff members. PS Standing noted that the drinking vessels hanging in the racks were still glass. Mr. NA said these were for show and that they also had non-glass vessels. He indicated that further non-glass vessels had also been ordered and would be delivered imminently. No further details pertaining to staff were forthcoming but the NLT office email address was again provided and it was promised that the request would be fully complied with by Mr. Lanz.

23rd June 2017 23:10 (Friday)

PC Jones of the NLT was on duty, and in the Worthing area and conducted licensing visits at both One Club and at Molotov. The DPS Mr. Wells was not present as he was out of the country. The general manager James Lanz was again identified as the person responsible for the management of the premises. PC Jones commenced a check to ensure that there was compliance with the licence conditions. He asked Mr. Lanz to provide the records of staff on duty specifically on 19th February 2017, as these had still not been provided, despite having been repeatedly requested previously. Mr. Lanz was unable to do so. He was also asked to provide records pertaining to the training of staff employed at the premises. He was unable to provide these or any training records post 2012. This is a further breach of licensing conditions, specifically 13, 14 & 15 of annex 3 and condition 4 section I:

- (13) Staff members to be engaged on selling alcohol on the premises shall receive full training pertinent to the Licensing Act, in particular but not exclusively in regard to age restricted sales and the refusal of sales to persons believed to be under the influence of alcohol or drugs.
- (14) Induction training must be completed and fully documented prior to the sale of any alcohol by the staff member and refresher training thereafter at intervals no less than 8 weeks. All restricted sales training undertaken by staff members shall be fully documented and recorded;
- (15) All training records shall be made available to Sussex Police, Local Authority Licensing Officers and the Local Trading Standards service upon request
- (4) A duty record of attendants must be maintained. The record must, on a daily basis, list the names of individuals who have worked that day.

PC Jones then asked to see the dispersal policy, adopted by the management and implemented by the SIA door staff. Mr. Lanz admitted he was unable to produce it, which is a breach of condition 4 annex 3 of the premises licence.

- (4) Management shall adopt a dispersal policy which will be implemented by the door staff. This will be agreed with Sussex Police to prevent groups gathering and engaging in altercations. Records shall be made available to the local licensing authority and/or Sussex Police upon request;

During the visit PC Jones noticed that none of the SIA door staff appeared to be wearing Body Worn Video (BWV). He asked Mr Young, the head of Links Security Team, how many BWV cameras were being used. He admitted there were none at either premises. Breaching condition 5 annex 3 of the premises licence:

- (5) SIA door staff shall utilise functioning body worn videos at all times when they are on duty

When PC Jones asked to view the incident/refusals logs it became apparent that these were not available. A member of the door team was called over, and he said he held a pocket notebook which referred to One Club which he took home and transferred to a log. The member of door staff advised PC Jones that the log for One Club would be brought to the premises the following evening, and be available for inspection. Mr. Lanz confirmed to PC Jones that when the door team were on duty, incidents and refusals at Molotov were recorded by the door team, and transferred to the One Club log. When PC Jones asked Mr. Lanz where bar staff would record incidents and refusals at times when door staff are not employed, he admitted that one was not kept or maintained. No log had been maintained and could therefore not be provided in relation to Molotov. Failure to maintain an incident log at the premises breaches condition 12 annex 3 of the premises licence.

- (12) An incident/refusal register shall be maintained and kept on the premises to record refusals and incidents of crime and disorder. These shall be made available to the local licensing authority and/or Sussex Police upon request

Mr. Lanz was asked to demonstrate the CCTV system to enable PC Jones to verify its compliance with the conditions on the licence. After some time he stated that it was a new system. He went on to explain that a new hard drive had been installed the previous day and therefore they no longer had any footage stored of the premises for any of the previous 28 days. This a breach of conditions 16 & 17 & 18 annex 3 of the premises licence, for details of the conditions see above on 19th February

Mr. Lanz stated that all of the documents requested were available, but due to storage issues in the premises, he needed to find out where they were. He was asked to produce all relevant documents by 1700hrs on Tuesday 27th June 2017 via email to the NLT email account.

25th June 2017 02:00 (Saturday into Sunday)

PC Jones of the NLT attended the premises to conduct a Licensing visit. He observed the door staff for some time and noted that they were proactively refusing entry to numerous people who were intoxicated. The head of the door company was present, albeit not working in a door supervisor capacity. He advised PC Jones that two new body worn video cameras had been ordered, which would arrive the following week.

Inside the premises several customers were seen to be refused service. One had quite obviously already reached his alcohol tolerance threshold. Others patrons were told that as a police officer was present they could not serve any more drinks.

A number of the customers were seen to be unsteady on their feet, and needed to use the tables, chairs, and the bar to steady themselves while walking around the premises. The officer observed that they were still drinking alcohol. A lone female was observed drinking what appeared to be sparkling wine before she staggered out of the premises, leaving 1 1/2 glasses of sparkling wine un-touched. No obvious intervention was made by bar staff nor SIA door staff to check on the female's welfare.

PC Jones conducted a check of the toilets using an UV light. A toilet attendant was on duty. Traces of cocaine powder were present on the toilet paper dispenser in the male cubicle. PC Jones approached James Lanz who agreed to the officer conducting drug mapping of the premises which involves taken swabs of various areas which would then be analyzed professionally by an Ion Track Itemiser machine.

The results were later analyzed and indicated extremely high readings for cocaine in all of the toilets, including upon the stool used by the male toilet attendant. Throughout the public areas of the premises, readings were consistently very high. The full list of readings is listed below.

A full explanation of the results is contained at **Appendix C** however any reading of 3 and above can be classed as a "high" response, the higher the number, the more recent the exposure and the higher the amount of the identified narcotic. This level of response would not be attributed to cross contamination and is indicative of recent and direct contact with measurable quantities of the narcotic identified by the machine.

Contained at **Appendix C1** is a ground floor plan of the premises

MALE TOILET: COCAINE – 6.25

MALE TOILET DOOR: COCAINE – 5.29

MALE TOILET PUBLIC AREA: COCAINE – 4.45

MALE TOILET ATTENDANTS STOOL: COCAINE – 5.00

FEMALE TOILET 1: COCAINE – 6.57

FEMALE TOILET 1 DOOR: COCAINE – 4.46

FEMALE TOILET 2: COCAINE – 6.22

FEMALE TOILET 2 DOOR: COCAINE – 5.16

FEMALE TOILET 3: COCAINE – 6.00

FEMALE TOILET 3 DOOR: COCAINE – 3.11

FEMALE TOILET PUBLIC AREA: COCAINE – 3.88

BAR: COCAINE – 3.19; MDMA – 1.48

DJ BOOTH: COCAINE – 2.40

OFFICE DOOR: COCAINE 3.75

TABLE marked A on the ground floor plan: COCAINE – 3.36

TABLE B on the plan: COCAINE – 3.30

TABLE C on the plan: COCAINE – 3.44

TABLE D on the plan: COCAINE – 3.36

TABLE E on the plan: COCAINE – 2.67

28th June 2017

Following further requests the premises dispersal policy was emailed to PC Jones by James Lanz. From checking the document it appears to have been created on 27th June, 2017.

Mr Lanz also confirmed in his email that he had still not been able to locate any staff training records, or the staff rotas that PC Jones had requested on 23rd June 2017.

29th June 2017

Sussex Police have been advised that there are no incident logs held which are specific to Molotov, all records are kept within One Club. The incident logs for Molotov / One Club were provided by Mr. Lanz to Sussex Police. These have been examined against records held by Sussex Police of incidents reported to the police. There are significant unexplained discrepancies in these records which we would not expect to see from records which had been made and correctly captured at the time of each incident.

12th July 2017

During the morning of 12th July 2017, Mr Barry Wells contacted PC Jones to enquire if he could attend the inquest of the lady who had been in the premises on 19th February 2017. PC Jones advised him that it was a public inquest and that he could attend. PC Jones took the opportunity to further request from Mr Wells, in his position as the Designated Premises Supervisor, the outstanding training records and staff rotas, first requested on 23rd June 2017, be provided for inspection. Later that afternoon, James Lanz emailed PC Jones a copy of a handwritten staff rota for the premises, dated 19th February 2017. The email also included incomplete staff record sheets for the two members of bar staff who had worked on that date. The sheets appeared to indicate that initial induction training had been conducted, but that no refresher training had been completed.

12th July 2017

The Coroner's Inquest was held into the death of the female who had been drinking at the premises. A number a door staff and bar staff were summoned to provide evidence at the inquest. The coroner concluded that this was an accidental death but stated that she was;
*"I am minded to add a rider indicating that **** (the deceased) at the time was under the influence of alcohol and severely intoxicated and this led directly to her death".*

It is known that the female entered Molotov at approximately 20:30 – 21:30 hours, and CCTV footage shows that she left Molotov at roughly 00:18 hours. The fatal accident took place at 00:23 hours. The CCTV footage confirms that the female did not stop off to purchase alcohol anywhere else, and she was not consuming her own alcohol, therefore it is evident that she became severely intoxicated during her 3 – 4 hour visit to Molotov.

14th July 2017 Friday

PC Jones attended the premises a number of times during the evening to collect CCTV footage pertaining to an incident subject of a criminal investigation involving the SIA door team. The quality of the footage from the external cameras was so poor it rendered the CCTV system ineffectual. PC Jones returned a number of times in an attempt to obtain useful footage of the incident

15th July 2017 (approx. 03:15 Saturday)

PC Jones was conducting licensing checks at Molotov and ONE Club, when he observed the owner of LINK Security, Mr Ian Young undertaking the duties of a door supervisor outside the premises. The officer noted that Mr Young was not displaying an SIA licence, and duly advised him that if was to undertake door supervisor duties, he must display his licence in accordance with the Security Industry Act 2001.

15th July 2017

An email was received from James Lanz that contained some incomplete training record sheets, an incomplete set of hand written duty rota records for the premises, and an incomplete set of hand written rota sheets for door staff.

While examining the licences in relation to the three premises in Chatsworth Road Worthing [Tokyo 31, Retro and One Club] it has come to light that the company Lounge Leisure UK Ltd – 07770955, went into liquidation on 29/10/13 thus rendering the premises licence for Tokyo 31 void.

During early 2017, Mr Wells et al, leased the property formerly known as Tokyo 31 to a third party restaurateur on the understanding that there was a valid premises licence in place. The third party restaurateur has since been required to cease all licensable activity authorised under the void licence. Further enquiries revealed that the names and dates of the remaining two licences and their transfers did

not match the records held by the Local Authority licensing office.

20th July 2017

PC Jones made enquiries with the SIA public register of licence holders, to confirm that Mr Young of LINK security held a valid SIA licence. These enquiries revealed that Mr Young did not hold a current SIA licence authorising him to undertake any licensable activity. As such Mr Young was not authorised to undertake door supervisor duties, and was also not authorised to manage other door supervisors.

PC Jones immediately contacted Mr Lanz, who had by now been nominated through a Variation Application, as being the DPS of both Molotov and ONE Club, and advised him of Mr Young's unlicensed status. Mr Lanz advised PC Jones that he was aware of the situation, and that there had been technical difficulties in renewing Mr Young's SIA licence, and suggested that one of the other door supervisors had temporarily taken over the role of managing the staff. It is an offence under the SIA Act 2001 to undertake duties as a Door Supervisor without a licence S3 (1), deploy other licensed staff without an SIA licence S17 (2) & (3) and to employ staff without an SIA licence S5(1). Mr Young knowingly undertook these duties, and Mr Lanz knowingly deployed unlicensed SIA staff. Apart from been unlawful, this puts patrons at significant risk as any public liability insurance would be invalidated.

21st July 2017

PC Jones received an email from Mr Lanz, confirming that with immediate effect, door staff for Molotov and ONE Club would be provided by a different company, Castlegate Security Solutions. All of the door supervisors from LINK Security would transfer over to Castlegate Security Solutions.

In conclusion

It is acknowledged that since the date of the coroner's inquest there have been a number of steps taken by the Premises Licence Holders and the DPS to rectify the breaches of the conditions attached to the premises licence. This mirrors the cyclical pattern identified by Sussex Police prior to the previous Review of the Premises Licence in 2013. Sussex Police are once again striving to obtain compliance from the same Premises Licence Holders and the same management team in relation to similar breaches of the premises licence. It is not, nor should it be, the responsibility of the police to ensure premises licence conditions are adhered to by the holders of the licence. In the case of Molotov, it is noted that many of the licence conditions applied to the premises licence by the Licensing Committee to keep people safe following the 2013 Review Hearing, have been completely disregarded by the licence holders. Sussex Police contend that the management team and owners have demonstrated complete disregard for patrons' safety and have made no attempt to promote the crime prevention or public safety objectives.

To further support Sussex Police's concern in relation to the exceptionally poor manner in which these premises have been run by the present owners and management team, 2 days after the Coroner's Inquest was held, a variation application was received on 14th July, 2017 which seeks to remove and/or amend the very conditions which, had they been adhered to, may have prevented the unnecessary death of a mother of two children. Following submission of this Review, Sussex Police will place a representation against the grant of the Variation to the Licensing Authority.

A copy of the Variation Application, pages 7 & 8 can be found at **Appendix D**. Highlighted within the Variation are those conditions which, if removed or amended, would cause the most concern to Sussex Police.

Sussex Police contend that having appeared before the Licensing Committee on 23 January 2013 the premise licence holders and management team, should be fully aware of the responsibilities conferred upon them when assuming the supervision of a licensed premises. Their responsibilities to the members of the public choosing to use the premises, and their obligation to promote the licensing objectives and adhere to the Licensing Act 2003 have previously and frequently been made clear, both by Sussex Police and by the Licensing Authority, and by the Licensing Committee. Since then further breaches have been observed, documents have been produced which are inaccurately recorded and a patron has died shortly after leaving the premises due to her level of intoxication level.

In submitting this second Review Application to the Licensing Committee, Sussex Police carefully considered the options open to the Authority:

- Removal of the Designated Premises Supervisor will have no effect, as a DPS variation has already been submitted by the Premises Licence Holders wishing to replace Mr Barry Wells with Mr James Lanz. This will be objected to by Sussex Police following submission of this Review to the licensing Authority, as Mr Lanz already manages the premises on behalf of Mr Wells, and Mr Lanz is not considered competent by Sussex Police.
 - S182 Licensing Act 2003 deals directly with this issue at Para 11.22:
 - *Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.*
- The addition of further conditions to the premises licence will be futile, as the current Premises Licence Holders and management team have disregarded the existing conditions applied to the licence by the Licensing Committee in 2013. At S182 Licensing Act 2003, the Secretary of State gives the following guidance at Para 11.23:
 - *Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives or preventing illegal working. So, for instance, a licence could be suspended for a weekend as a means of deferring the holder from allowing the problems that gave rise to the review to happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.*

Following very careful consideration, taking into account:

- The very short time these premises have been open and trading as Molotov Cocktail and Vodka Bar;
- The irresponsible manner in which the premises is trading, manifesting itself with:
 - The lack of adherence to the licence conditions by the owners and management;
 - The very high levels of intoxication within the premises, witnessed by police officers
 - The disregard of the owners, management and staff for public safety
 - The management knowingly deploying unlicensed SIA Door Supervisors at the premises;
- The Secretary of States Guidance in relation to trading irresponsibly;
- The exceptionally poor management of the premises;
- The extremely high drugs readings recorded by the Ion Track machine.

Sussex Police contend there is no other option than to respectfully request that the Licensing Committee very seriously consider revocation of the premises licence of Molotov Cocktail and Vodka Bar.

| | |
|--|----------|
| Please mark X for yes | |
| Have you made an application for review relating to this premises before | X |

| | |
|--|--------------------------------------|
| If yes please state the date of that application | 23rd November 2012 |
|--|--------------------------------------|

| |
|---|
| <p>If you have made representations before relating to this premises please state what they were and when you made them</p> <p>Sussex Police submitted an application for the Review of the Premises Licences for both adjoining premises in Chatsworth Road on the grounds of the prevention of crime& disorder, the prevention of public nuisance & the protection of children from harm.</p> <p>This was due to the constant volume of incidents involving crime, disorder and public nuisance in and around these premises and by the continuing failure of the Designated Premises Supervisor (DPS), representatives of the Premises Licence Holder and the premises management team to address issues of violence, drunkenness & disorder within and in the immediate vicinity of the premises</p> |
|---|

| | |
|---|---|
| Please mark X for yes | |
| <ul style="list-style-type: none"> I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate | X |
| <ul style="list-style-type: none"> I understand that if I do not comply with the above requirements my application will be rejected | X |
| IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION | |
| Part 3 – Signatures (please read guidance note 3) | |

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature (on behalf of the applicant)

Date:
25th July, 2017

Capacity:
Head of Licensing & Public Safety

| | |
|---|---|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5) | |
| Mrs Jean Irving c/o Sussex Police West Sussex Divisional Headquarters Centenary House Durrington Lane, Worthing West Sussex BN13 2PQ | |
| Post town Worthing | Post code BN13 2PQ |

Sussex Police
Application for review of a premises licence
07/2015

ONE CLUB, WORTHING – DRUG MAPPING

2ND SEPTEMBER 2017 – ION TRACK ITEMIZER

MALE TOILET 1: COCAINE – 4.92

MALE TOILET DOOR: COCAINE – 4.09

MALE TOILET 2: COCAINE – 3.71

~~MALE TOILET 2 DOOR: COCAINE – 5.06~~

MALE TOILET PUBLIC AREA/SINK: COCAINE – 3.25

MALE TOILET ATTENDANTS STOOL: COCAINE – 3.34

FEMALE TOILET 1 NO ALARM

FEMALE TOILET 1 DOOR: COCAINE – 3.23

FEMALE TOILET 2: COCAINE – 1.05

FEMALE TOILET 2 DOOR: NO ALARM

FEMALE TOILET 3: NO ALARM

FEMALE TOILET 3 DOOR: COCAINE – NO ALARM

FEMALE TOILET 4: NO ALARM

FEMALE TOILET 4 DOOR: NO DOOR

FEMALE TOILET 5: DOOR LOCKED

FEMALE TOILET 5 DOOR: DOOR LOCKED

~~FEMALE TOILET 6: COCAINE – 5.49~~

FEMALE TOILET 6 DOOR: COCAINE – 2.76

FEMALE TOILET 7: NO ALARM

FEMALE TOILET 7 DOOR: NO ALARM

FEMALE TOILET 8: DOOR LOCKED

FEMALE TOILET 8 DOOR: DOOR LOCKED

FEMALE TOILET PUBLIC AREA: COCAINE – 2.00

BAR BY TOILETS (A): COCAINE – 4.19

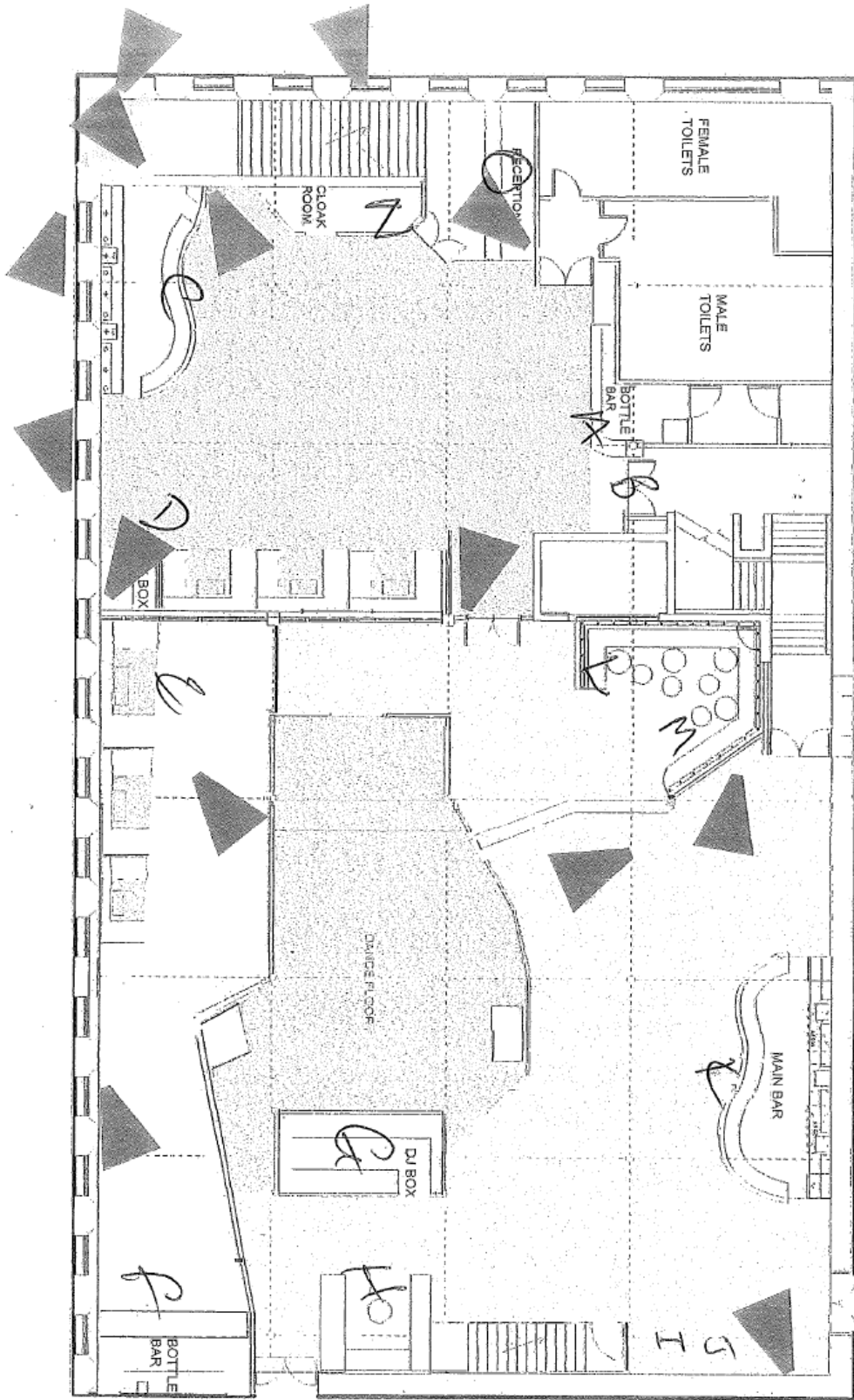
FIRE ESCAPE DOOR (B): COCAINE – 2.49; HEROIN – 1.95

OXYGEN MAIN BAR (C): COCAINE – 2.94; HEROIN – 1.30

OXYGEN DJ BOOTH (D): COCAINE – 2.30

BOOTH (E): NO ALARM

LIQUID CCTV PLAN





Licensing Act 2003 – Sections 16 and 18
Premises Licence – Part B

Housing, Health and Community Safety
9 Commerce Way
Lancing
BN15 8TA

Premises Licence Number - LN/100001196

Premises Details

| | |
|---|--------------|
| Postal address of premises or, if none, ordnance survey map reference or description | |
| One Club 31 Chatsworth Road Worthing BN11 1LY | |
| Telephone number | 01903 609000 |

| |
|--|
| Licensable activities authorised by the licence |
| See attached Schedule |

| |
|---|
| The times the licence authorises the carrying out of the licensable activities |
| See attached Schedule |

| | | |
|---|--------------|---------------|
| Opening hours of the premises | | |
| Location : One Club - Nightclub | | |
| Day | Start | Finish |
| Sunday | | |
| Monday | 19:00 | 02:30 |
| Tuesday | 19:00 | 02:30 |
| Wednesday | 19:00 | 02:30 |
| Thursday | 19:00 | 03:20 |
| Friday | 19:00 | 03:20 |
| Saturday | 19:00 | 03:50 |
| Non Standard Timings & Seasonal Variations | | |
| <ul style="list-style-type: none"> 19.00hrs to 03.00hrs of the following morning on: Sunday preceding a Bank Holiday Monday Sunday when it is a Christmas Eve, Boxing Day and New Years Day. 19.00hrs to 04.30hrs of the following morning on New Year's Eve. | | |

| |
|--|
| Where the licence authorises alcohol whether these are on and/or off supplies |
| ON |

Premises Licence Holder Details

| |
|---|
| Name |
| Peter Mott & Barry Wells T/A Lounge Leisure Group |

| |
|---|
| Registered Address |
| One Club 31 Chatsworth Road Worthing West Sussex |

| |
|---|
| Registered number of holder, for example company number, charity number (where applicable) |
| N/A |

Designated Premises Supervisor Details (Where the premises licence authorises for the supply of alcohol)

| |
|----------------|
| Name |
| Mr Barry Wells |

| | |
|---|--------------------------|
| Personal licence number and issuing authority of personal licence held by Designated Premises Supervisor where the premises licence authorises the supply of alcohol | |
| Personal Licence Number : | 00188 |
| Licensing Authority : | Worthing Borough Council |

| |
|---|
| State whether access to the premises by children is restricted or prohibited |
| Prohibited |

Schedule 1 – Licensable Activities authorised by this Licence

Times the licence authorises the carrying out of the licensable activities

| | | |
|---|--------------|---------------|
| Location: Bars | | |
| Activities: Alcohol ON Sales/Supply (M) | | |
| Day | Start | Finish |
| Sunday | | |
| Monday | 19:00 | 02:00 |
| Tuesday | 19:00 | 02:00 |
| Wednesday | 19:00 | 02:00 |
| Thursday | 19:00 | 02:30 |
| Friday | 19:00 | 03:00 |
| Saturday | 19:00 | 03:30 |
| Non Standard Timings & Seasonal Variations | | |
| <ul style="list-style-type: none"> 19.00hrs to 02.30hrs of the following morning on: Sunday preceding a Bank Holiday Monday Sunday when it is a Christmas Eve, Boxing Day and New Years Day. 19.00hrs to 04.00hrs of the following morning on New Year's Eve. | | |

| | | |
|---|--------------|---------------|
| Location: Nightclub | | |
| Activities: Live Music (E), Recorded Music (F), Perform Dance (G), Music Making Facilities (I), Dance Facility (J) | | |
| Day | Start | Finish |
| Sunday | | |
| Monday | 19:00 | 02:00 |
| Tuesday | 19:00 | 02:00 |
| Wednesday | 19:00 | 02:00 |
| Thursday | 19:00 | 03:00 |
| Friday | 19:00 | 03:00 |
| Saturday | 19:00 | 03:30 |
| Non Standard Timings & Seasonal Variations | | |
| <ul style="list-style-type: none"> 19.00hrs to 02.30hrs of the following morning on: Sunday preceding a Bank Holiday Monday Sunday when it is a Christmas Eve, Boxing Day and New Years Day. 19.00hrs to 04.30hrs of the following morning on New Year's Eve. | | |

| | | |
|---|--------------|---------------|
| Location: Designated Smoking Area | | |
| Activities: Late Night Refreshment (L) | | |
| Day | Start | Finish |
| Sunday | | |
| Monday | 23:00 | 02:30 |
| Tuesday | 23:00 | 02:30 |
| Wednesday | 23:00 | 02:30 |
| Thursday | 23:00 | 03:00 |
| Friday | 23:00 | 03:00 |
| Saturday | 23:00 | 03:30 |
| Non Standard Timings & Seasonal Variations | | |
| <ul style="list-style-type: none"> • 23.00hrs to 03.00hrs of the following morning on: Sunday preceding a Bank Holiday Monday Sunday when it is a Christmas Eve, Boxing Day and New Years Day. • 23.00hrs to 04.30hrs of the following morning on New Year's Eve. | | |

Signed on behalf of the issuing licensing authority

Senior Licensing Officer

Date: 12 March 2015

Annexe 1 : Mandatory Conditions

A. Mandatory conditions: Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

B. Mandatory conditions: Door Supervision

Where employed each such individual must be licensed by the Security Industry Authority.

C. Mandatory conditions: Irresponsible Promotions

The responsible person must take all reasonable steps to ensure that staff do not carry out, arrange or participate in any irresponsible promotions. An irresponsible promotion is one which encourages the sale or supply of alcohol for consumption on the premises and carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children.

Irresponsible promotions take a number of forms including drinking games, large quantities of alcohol for free or for a fixed price, prizes and rewards schemes, event promotions and posters & flyers, games involving alcohol dispensed directly by one person into the mouth of another person.

D. Mandatory conditions: Free Drinking Water

Free potable water must be provided on request to customers where it is reasonably available on the premises.

E. Mandatory conditions: Age Verification

An age verification policy for the premises must be produced, implemented and details made available to authorised officers upon request.

F. Mandatory conditions: Small Alcohol Measures

Small alcohol measures must be made available.

For example: spirits: 25 ml or 35 ml; wine: 125ml glasses.

G. Mandatory conditions : Permitted Price

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

For the purposes of the condition “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

Where —

- I. *P is the permitted price*
- II. *D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and*

- III. *V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;*

“relevant person” means, in relation to premises in respect of which there is in force a premises licence —

- I. the holder of the premises licence*
II. the designated premises supervisor (if any) in respect of such a licence, or
III. the personal licence holder who makes or authorises a supply of alcohol under such a licence;

H. Conditions consistent with the Specific Conditions of the Public Entertainment Licence.

1. Between 23.30hrs until closing Monday – Saturday inclusive the premises may be used in conjunction with the ‘Retro’ bar, and entrance and exit to the bar shall be available only through the Nightclub via the internal staircase.
2. The procedure for managing the premises shall be in accordance with the document submitted by Holgate Fire & Safety Ltd dated 20 August 2003 entitled “Recommended procedure for managing the premises with the ‘Retro’ bar linked to the first floor via an internal stairway.”
3. A duty record of attendants must be maintained. The record must, on a daily basis, list the names of individuals who have worked on that day.
4. Departing customers must not be permitted to take glasses or opened bottles outside the premises.
5. The maximum number of persons permitted at any time in that part of the premises to which the Premises Licence applies to be limited to:

| | |
|----------|-------------|
| One Club | 530 persons |
| Retro | 160 persons |
6. The licence holder shall ensure that persons entering and leaving the club are counted by his/her employees or agents using counting machines approved by the Licensing Authority and that the total recorded on each counting machine shall, at all times, be available for inspection by Officers of the Licensing Authority, the Fire Authority and/or the Sussex Police.
7. There shall be a minimum of one SIA door supervisor per 100 customers, or part thereof, present and at least one of the SIA attendants will be female.
8. Departing customers must not be permitted to take glasses or opened bottles outside the premises.

Annexe 2 : Conditions Consistent with the Operating Schedule

A. General conditions covering the whole club:

1. Pre-opening safety checks to all fire exits and emergency lighting shall be carried out and the results recorded every evening before opening.
2. CCTV of a quality acceptable to Sussex Police, covering the entire premise shall be in operation continuously. Recordings shall be kept on hard disk for at least 2 months and be available to officers of Sussex Police and the Licensing Authority on demand.
3. SIA trained and licensed door supervisors shall be in attendance when the public is present.
4. The capacity limit of 690 persons shall not be exceeded.
5. A sound insulation scheme shall be maintained and management will carry out regular monitoring.
6. Regulated Entertainment to take place indoors only.
7. No person under 18 years of age shall be allowed in the premise except when they are either:
 - an invited guest attending a private pre-booked party.
 - attending a specially organised 'under 18 event' where no alcohol is available and the only over 18s present, besides those involved in the organisation & policing of the event, are older students, tutors or parents.Whenever an event is being held on the premises to which under 18 year olds are permitted to attend, Sussex Police will be given at least 7 days advanced notification.
8. First Aid kits and emergency equipment shall be properly maintained.
9. An NIEC electrical certificate will be obtained every 24 months.
10. Regulated entertainment shall cease half an hour prior to the licensed closing time of the premises i.e. at the commencement of "wind down" time.
11. A 30 minute period after the terminal hour for the sale of alcohol to allow the premises to be cleared of the public.
12. The doors and windows shall be kept closed while regulated entertainment is in progress (except to allow for momentary access or egress of patrons and staff).
13. The noise of regulated entertainment from the premises shall neither exceed 56dB LAeq (5min) before 23.00hrs, 53dB LAeq (5 min) between 23.00hrs and 02.00hrs nor 50dB LAeq (5min) after 02.00hrs. The noise level shall be measured at any 1.2-1.5M above the south pavement of Chatsworth Road or the west pavement of High Street.
14. The premises will make a contribution by way of at least one member of door staff to assist with "Taxi Marshalling" on all occasions that the premise is open until 02.00hrs or later.
15. The management of the premises will make a working arrangement with one or more of the local taxi or private hire companies in order that customers are able to be taken home with the minimum of delay.
16. The Applicant will use a sound level meter to allow objective self-monitoring of 'Retro' and the One Club to be carried out and recorded. Such records to be made in writing and made available on request to any Officer of Worthing Borough Council. The self-monitoring will take place as follows:
 - Sundays to Wednesdays – once during the course of the evening.
 - Thursdays to Saturdays – twice during the course of the evening.

17. There will be no external disposal of bottles or rubbish between the hours of 00.00 hrs (midnight) and 08.00 hrs on any day.
18. The Licensee/DPS will maintain an active membership of club-watch and attend the regular meetings.

B. Conditions specific to the designated smoking area adjacent to the club:

1. The external smoking area will be monitored and policed by the premise's SIA registered door staff. The club's rules and conditions will be enforced within this area and customers' standards of behaviour will be expected to meet the levels demanded within the club.
2. Plastic drink containers only will be permitted in this area. No Glasses or Bottles.
3. A policy of zero tolerance to illegal drugs will be enforced at all times.
4. The area will be monitored by the premises CCTV system. Imaging storage and inspection to be in accordance with the Police's requirement.
5. Staff will actively participate in litter collection within the 'smoking area' and suitable bins/ashtrays will be provided for customer use.
6. No amplified music will be played in this area and signs will be displayed reminding patrons that they are outside and to keep noise to a minimum. Door staff will enforce this. Noisy & disruptive customers will be asked to leave if door staff advice isn't adhered to.
7. Following Risk assessment, preventative and control measures are to be kept in place to ensure the safety of customers and employees whilst in the designated area.
8. Food provided from the mobile trailer situated in the designated smoking area will be for consumption on the premises. No food will be taken into the street.

C. Conditions specific to the 'Bottle Bar' in south east corner of main club area:

1. No draft beer will be supplied from this bar.
2. All products sold shall be in plastic containers.
3. The bar will be manned by a trained member of staff whenever open.

Annexe 3 : Conditions attached after review hearing by the Licensing Authority

1. Security industry Authority (SIA) door supervisors shall be employed through an external contract company.
2. SIA trained and licensed door supervisors shall be in attendance when the public is present and until 30 minutes after the closure of the premises in order to effectively operate a dispersal policy in Chatsworth Road;
3. Management shall adopt a dispersal policy which will be implemented by the door staff. This will be agreed with Sussex Police to prevent groups gathering and engaging in altercations. Records shall be made available to the local licensing authority and/or Sussex Police upon request.
4. SIA door staff shall utilise functioning body worn videos at all times when they are on duty.
5. Those performing the role of door supervisor shall not perform any other role when engaged for the purpose of door supervision activities. Door supervisors shall be fully briefed prior to work with clear written instructions regarding their specific duties including an awareness of persons banned from the premises. These records shall be made available to the local licensing authority and/or Sussex Police upon request. A member of the SIA door staff to be permanently located and actively patrolling within the smoking area while the premises licence is in operation or until the area has been emptied of patrons at closing time.
6. An identification scanning system with a strict no ID/no entry policy shall be operated at all times licensable activities are taking place unless prior written agreement with Sussex Police has been obtained or the system has suffered mechanical breakdown beyond the control of the proprietor. Information from the system shall be made available upon request to the Police in accordance with the Data Protection Act. Any breakdown or system failure will be reported to the Police immediately and remedied as soon as practicable.
7. Entry be restricted to those patrons whose ID has been scanned into the ID scanner system operated by the premises.
8. A challenge 25 Policy will apply with regard to the sale of alcohol. Any person who appears to be under the age of 25 shall be required to provide satisfactory photographic evidence that they are 18 years old or over before being sold or supplied with any alcoholic drink, or on entry should the ID scan system become inoperative.
9. No games shall be conducted in the premises whereby alcohol or bar credit is given as a prize in any manner or form.
10. An incident management policy shall be drawn up in agreement with Sussex Police and shall be implemented at all times while the premises is conducting licensable activities until 30 minutes after closing time.
11. An incident/refusals register shall be maintained and kept on the premises to record refusals and incidents of crime and disorder. These records shall be made available to the local licensing authority and/or Sussex Police upon request.
12. Staff Members to be engaged in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, in particular but not exclusively in regard to age restricted sales and the refusal of sales to persons believed to be under the influence of alcohol or drugs.
13. Induction training must be completed and fully documented prior to the sale of any alcohol by the staff member and refresher training thereafter at intervals no less than 8 weeks. All restricted sales training undertaken by staff members shall be fully documented and recorded.
14. All training records shall be made available to Sussex Police, Local Authority Licensing Officers and the Local Trading Standards service upon request

15. CCTV to be installed in accordance with Home Office guidelines relating to UK police requirements for digital CCTV systems covering the entire premises including the outside areas/front of premises.
16. CCTV images shall be retained for at least 28 days and except for mechanical breakdown beyond the control of the proprietor, shall be made available upon request to the police. Any breakdown or system failure shall be notified to the Police and immediately remedied as soon as practicable.
17. It will be the responsibility of the DPS or duty manager to ensure that any requests from the police for a recording to be made for evidential purposes is carried out as soon as possible in compliance with the data protection act.
18. Polycarbonate drinking vessels (excluding bottles) will be used at all times. Polycarbonate bottles will be used when a need is identified by the licence holder's own risk assessment or when required by Sussex Police in writing.
19. No drinking vessels shall be permitted in the smoking area save for drinking vessels containing water.

Annexe 4 : Plans

See Attached:

- Plan of smoking area certified and dated 23.04.07.
- Plan & drawing of main club area certified and dated 23.11.10.



Mr Simon Jones
Licensing Unit,
Adur and Worthing Councils,
Portland House,
Richmond Road,
Worthing,
BN11 1LF

**Neighbourhood Licensing Team
West Sussex Division**

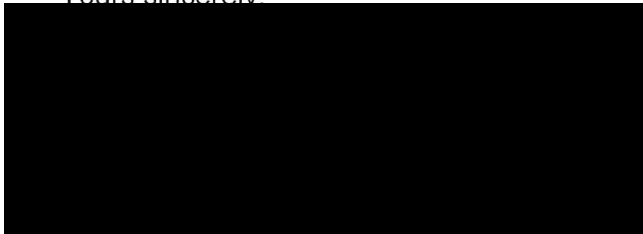
19th October 2017

Dear Mr Jones,

Application for Review of the premises licence for One Club, 31 Chatsworth Road, Worthing, BN11 1LY

Further to the Review application served 6th September 2017, please find enclosed a copy of evidence we wish to be considered.

Yours sincerely



Sergeant CS726 Andy Standing
Licensing Sergeant
Neighbourhood Licensing Team

Evidence

Review One Club Chatsworth Road

| | | |
|-----|--|---------|
| 1 | Statement PC Evans | 1 ~ 2 |
| 2~4 | Statement Door supervisor; Statement victim) Statement PC Jewiss) | 3~ 7 |
| 5 | Statement from victim | 8 ~ 9 |
| 6 | Witness statement | 10 |
| 7 | Statement PC Rowley | 11~ 12 |
| 8 | Statement PC Jones (dated 17 October) | 13 ~19 |
| 9 | Letter from Simon Jones Worthing Borough Council | 20 |
| 10 | Letter from PC Jones to DPS Mr Wells | 21 ~ 22 |
| 11 | Statement PC Welch | 23 ~ 24 |
| 12 | Statement PC Lockwood | 25 |
| 13 | Statement PC Marshall | 26 ~ 27 |
| 14 | Statement from witness | 28 ~ 30 |
| 15 | Letter from PC Jones to Mr Wells | 31 ~ 33 |
| 16 | S19 Closure Notice | 34 |
| 17 | Incident logs | 35~71 |
| 18 | staff training + logs | 72 ~ 73 |
| 19 | Variation of DPS & Conditions Police objection | 74 ~ 76 |
| 20 | email from Mr Lanz re missing rotas | 77 |
| 21 | Statement from Mr Young SIA door supervisor | 78 |
| 22 | Email from SIA | 79 ~ 81 |
| 23 | Email re castle gate security | 82 |
| 24 | Statement from Victim | 83 ~ 85 |
| 25 | Statement PC Vasey | 86 ~ 87 |
| 26 | Statement PC Jones | 88 ~ 90 |
| 27 | Technology statement | 91 ~94 |



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WITNESS STATEMENT

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

URN

Occurrence Number:

Statement of:

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

This statement (consisting of 2 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:

Date: 19/11/2016 04:07

Tick if witness evidence is visually recorded

On Friday 18 November 2016 I was working in full uniform at Centenary House, Worthing from 17:00 hours until 04:00 hours of Saturday 19 November 2016. I was crewed with working in call sign

At approximately 02:50 hours I was in CHATSWORTH ROAD, WORTHING near CLUB ONE, when large groups had started to leave the club. I could see two groups of both males and females appearing to have some sort of disagreement so I got out of my Police vehicle and with and started to approach the groups. I then saw two the two males who were arguing being walked away by their friends in an attempt to separate them and it calmed down for a short time. I remained outside the car and then saw a young male, in his 20's with brown hair, skinny build and wearing a white jumper, who was one of the males having the first argument had returned. His friend was still trying to get him to leave but he was refusing and then started to argue with this friend. I saw the male in the white jumper start to shout at his friend and then push him away as he wanted to continue the argument. I went over as his friend grabbed hold of him and I thought they were about to fight. I called up via my radio and asked for another unit to CHATSWORTH ROAD. I took hold of the male in the white jumper by the left arm and his friend said "DO YOU WANT HIM". I shouted that I wanted him to stop and that I was Police and the male in the jumper then pushed me away shouting "FUCK OFF". The male pushed me off him with force causing me to initially lose grip of his arm so I went forward again and took hold of his arm shouting at 03:00 hours "YOU ARE UNDER ARREST FOR BEING DRUNK AND DISORDERLY" and I then cautioned him. The male then shoved me back again and shouted "I'M NOT BEING FUCKING ARRESTED, FUCK OFF" and yanked his arm away. I again lost grip and he started to walk away from me so I ran forward and grabbed him again by the shoulder but he tensed up and raised his arms again. I thought he was going to hit out so I grabbed him using my right arm around the shoulders to keep him close and to avoid being caught up as he struggled away from me. I was standing behind him

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[REDACTED]

with my arm around him and I was shouting "PUT YOUR ARMS BEHIND YOUR BACK, BEHIND YOUR BACK NOW" or words to the effect. He was still tense and now leaning forward so I held on to try to secure him and prevent him from getting away. He was pushing against me and tensed up and [REDACTED] was also trying to get hold of him. I suddenly saw the yellow jackets of the Bar One security and come over to assist but before they could help I then saw [REDACTED] grab the male to help me. I moved away as he got control but the male was still trying to fight and struggle, refusing to put his arms behind his back or calm down. [REDACTED] was also there and trying to secure the male and I think he had hold of his right arm with [REDACTED] on his left side. They struggled to get him on the floor so I initially drew my captor and then I saw some of his friend approach. I shouted at them to get back and then saw that [REDACTED] had managed to secure the male on the floor. I then further arrested the male shouting "YOU ARE ALSO ARRESTED FOR ASSAULT POLICE AND RESIST ARREST". He was still struggling on the floor but [REDACTED] managed to handcuff him to the rear and he was shouting "FUCK OFF, YOU'RE ALL CUNTS, YOU HAVE LOST ME MY JOB NOW YOU CUNTS". I was still trying to get his friends to move away as he was still agitated and they were not helping him calm down. I tried to request a van to assist with transport but I could not get through. I checked my radio and saw that it had changed channels during the struggle so once I corrected this I was able to update and request the van attend. He was placed in the van and transported to WORTHING CUSTODY by [REDACTED] and [REDACTED] and he had calmed down at this point. I provided the circumstances of the arrest to [REDACTED] and I then returned to my Police vehicle to return to CENTENARY HOUSE.

I now know the male to be [REDACTED] was very aggressive, would not listen to reason and tried to evade being arrested. His eyes were glazed and blood shot and I could smell intoxicating liquor on his breath. He was slurring as he shouted and in my opinion he was drunk: I believe that [REDACTED] would have continued his argument with someone in the street and that his arrest was necessary to prevent injury to another person and to prevent a further disturbance or incident occurring. He was fully aware that Police were present as he saw us when he was first walked away by his friend and also looked directly at me when I arrested him and he pushed me away.

These are my original notes made at 04:00 hours on Saturday 19 November 2016 at CENTENARY HOUSE and I had no further dealings with this case.

[REDACTED]



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: [Redacted]

Age if under 18: _____ (If over 18 insert 'over 18') Occupation: [Redacted]

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: [Redacted] Date 20/11/2016

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

I am the above named person and am employed as [Redacted] at BAR 1, CHATWSORTH ROAD, WORTHING. I have held this position for the past year.

On Saturday 19th November 2016 I began my shift at 11pm. My position rotates around the night club roughly every half hour.

At around 310am Sunday 20th November 2016 I was stood in position 1 which is situated opposite the big VIP booth within the club.

I was generally overlooking the dancefloor where I could see that one male grabbed another male by his neck. I saw lots of pushing and shoving. I called up on my radio stating that there was a problem on the dancefloor then approached the males.

The male that I saw grabbing the other males throat was white, short, stocky wearing a dark grey coloured T Shirt, mid 30's with short hair. I approached this male and getting between the two males. I escorted this male out of the nightclub to the front of the building in CHATSWORTH ROAD.

Whilst escorting this male out of the club he stated that he had been bottled. I took this to mean that the male had been struck with a bottle. He was holding the back of his head and complaining. I explained to him that he and the other male concerned would be ejected from the club and to allow for the Police to be able to speak with them about what had happened.

I would state that the male was drunk.

I did not witness the male that I removed from the club being struck with a bottle.

I hadn't really paid any further attention to the second male concerned because the dancefloor was busy.

I do not really recall any further about the incident within the club.

The incident lasted roughly 3-4 minutes. I was stood roughly 8 or so feet away from the males when I saw the incident. My visibility was quite good. I was stood above the level of the dancefloor. The dancefloor was lit by the disco style lights. The lights are constantly moving.

I am willing to assist in the investigation of this matter should it be required. [Redacted]

Signature: [Redacted]

Signature witnessed by: _____





MG11

WITNESS STATEMENT

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

URN

Occurrence Number:

Statement of:

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

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 in it anything which I know to be false, or do not believe to be true.

Signature: _____

Date: 20/11/2016

Signature Witnessed By: _____

Statement Locked By:

Tick if witness evidence is visually recorded

At around 0040hrs on Sunday 20th November 2016 I caught the last train from LANCING into WORTHING after spending the evening in The Railway where I am the Landlord. I had around 3 vodka's in my own pub and then another 4 when we got over the WORTHING. I was with 4 mates, we went to the Three Fishes and then we went to The One Club.

Whilst we were in the club, we were in the top dance floor, we were all stood on the stage. We were all having a dance and a laugh. I saw my friend talking to a male, I would describe him as Black wearing a grey hat, he was in his mid 20's 5.8-5.9, slim build. is white, 20 years old, slim build wearing a black jumper and black jeans. Initially I thought that they were being friendly, they were right up in each other's face. I saw the black male become aggressive, he pushed with one hand to the chest pushed him away in the throat or the chest I can't remember. I approached the black male and I then pushed him with one hand to the chest. Another male came up to us, he appeared to be a friend of the guy that had pushed I would describe him as black, mid 20's, 5.7-5.8, medium build. He was wearing a black cap, that is all I can remember. This male then swore at me, I can't remember what he said so I pushed him away. He was holding a glass bottle of beer, he started to tip his drink out onto the floor and then he held the bottle up, mimicking that he was going to bottle me. I tried to kick the bottle out of his hand and then he threw it at me. At this point we were stood facing each other although I was stood on the stage and he was stood on a lower level. and the other male were stood in-between us. I saw that he was going to throw the bottle, we were around 2 or 3 meters apart. As he threw it I

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ducked and the bottle hit me on the back of the head. I was stunned, it was very painful. The bouncers must have seen it happen straight away because they grabbed hold of him. I said to one of the bouncers "THAT BLACK CUNT JUST BOTTLED ME".

Because of what I said, the bouncer grabbed my arm and twisted up behind my back and threw me out of the club. In my opinion what I said was not racist. I was born in [REDACTED] I have black friends anyone that knows me, knows I'm not racist.

The whole incident lasted just a few seconds, I was around 2 meters away from the male who assaulted me, It was quite dark in the club, the lighting was poor. Nothing obstructed my view of him, I do not know that male, I have never seen him before. I would recognise the male again. No person has permission to assault me.

It is around 40 minutes after the incident happened and my head still feels very painful. I have a large lump, I feel sick and my vision is blurry.

The victim personal statement has been explained to me and I would like to add that I have previously had a bleed on the brain and I feel quite panicked about the possible consequences of this.



MG11

WITNESS STATEMENT

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

URN

Occurrence Number:

Statement of:

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

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 in it anything which I know to be false, or do not believe to be true.

Signature:

Date: 20/11/2016 04:51

Tick if witness evidence is visually recorded

Saturday 19th November 2016 I was working a night shift (21.00 - 07.00 hours), working alongside

in when at 03.05 hours we have been on uniformed patrol in Worthing Town centre when we drove into Chatsworth Road to check on ONE Club when we saw a large black male trying to keep two other parties apart

One of the parties being kept apart at the time was later identified as

It would appear from door staff at the ONE Club that there had been an altercation between two males within the club, which staff had intervened to separate & then ejected from the club. The other party involved was identified as

It would appear that once they had been ejected from the club, one of friends had decided to add his pennies worth & hence why we arrived to see a male trying to keep the parties apart

Once out of the car I have detained & his friend (the black male keeping everyone apart) until we could establish what had been going on

stated several times that whilst in the club, a male had thrown beer all over him (showing me his top). Then he alleged that the male had kicked him, pointing to his abdomen area. then admitted at that point he had thrown the bottle.

His friend stated that he did not know what had happened or why he had been ejected from the club & did not understand why he was being detained

I have asked for ID to confirm his identity, however he stated that he did not have any, I reminded him that to get into the club in the first place he would have had to provide ID, so he stated that another friend had his ID. He was also unable to provide an address other than saying he was from Crawley

kept repeating the whole time that he had been the one assaulted in the club & did not understand why he

2010/11





was being detained despite my explanation that we needed to establish what had occurred & confirm who had been involved, reminding him that he had admitted to an assault

Then information was passed that confirmed the altercation in the club & the fact that the parties had been separated & after that point a bottle had been thrown that had hit [redacted] on the back of the head, causing a swelling to the back of the head & he had identified [redacted] as the suspect who had done it

With [redacted] stating himself that he had thrown the bottle & the victim identifying him as the suspect, at 03.15 hours I have arrested [redacted] on suspicion of attempt GBH, he was cautioned to which he made no comment, so his understanding was confirmed. He was then hand cuffed to the rear, which were checked & double locked

He was conveyed to Durrington Custody where his detention was authorised

Due to the comments made prior to arrest, I made an entry in my pocket note book, which I read to [redacted] & offered for him to sign the comment made, however he refused to sign

No other comments were made

[redacted] was compliant & handcuffs removed at the first available opportunity & no further use of force required or used

360 images were taken of [redacted] in custody, these I exhibit as [redacted] though to [redacted]

This statement was completed at 05.26 hours & forms part of my original notes





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: []

Age if under 18: _____ (If over 18 insert 'over 18') Occupation: []

This statement (consisting of two 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: [] Date 12th January 2016.

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

On the evening of 16th December 2016, I went out to Chichester, West Sussex, with a group of friends as one of my friends was leaving the country and we had a bit of a farewell do for him. We had a meal in Chichester as well as some drinks and had no problems with anyone and nothing of note took place, the evening was very pleasant.

We returned back to Rustington, West Sussex after the meal and someone suggested that we should go on to Worthing to a club to finish the night off.

At approximately 2am on the morning of 17th December 2016 I went to the One Club, Chatsworth Road, Worthing, West Sussex. I attended this location with a couple of my friends. We had got a taxi to the location which had dropped us off outside the club, we had not had to queue very long to get in and prior to the time we got out of the taxi to the time we entered the club I had no problems with anyone.

At around 2.45am, I went to the bar to get some drinks for everyone. Whilst I was in the process of being served I was suddenly and without warning punched from behind around the front of my face. As a result of being punched I received serious injury and lost consciousness. Due to the attack being unexpected and unprovoked, I am unable to describe the person who assaulted me.

Immediately after being assaulted I was in shock and think I was assisted by some people, but do not know who. I know I was assisted by staff from the club and was taken and dropped off at Worthing hospital, Lyndhurst Road, Worthing, by the manager of the club,

As a result of my visit to hospital I was kept in so that a CT head scan could be carried out. As a result of this scan it was discovered that a nasal bone had been fractured and that I had a broken nose. I also had to have a cut to the front of my face glued. I was eventually discharged from hospital at around 1-2pm and advised to take anti-inflammatory and pain killing medication.

I have taken five photographs of the injuries that I sustained, I can exhibit these photographs as exhibit [] "Album of (5) five Images of injuries caused at One Club,

Signature: [] Signature witnessed by: []

MG11 5/2007

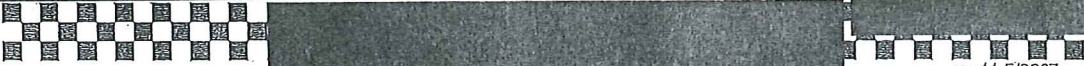




Chatsworth Road, Worthing on 17/12/2016."

I am also able to exhibit a copy of the CT scan results as exhibit [redacted] "CT Scan results in name of [redacted]"

I can say that no one had permission to assault me and I gave no one any reason to assault me in such an unprovoked way, I cannot think of any reason for anyone assault me, I had no problems with anyone in the club at any time. [redacted]



mg11 5/2007

Occurrence enquiry log entry report

Sussex Police

Occurrence: 471601 VIOLENT CRIME PUBLIC PLACE @25/12/2016 03:28 (ROAD ONLY, WINTON PLACE, WORTHING CENTRAL, WORTHING, WEST SUSSEX United Kingdom (NH code: WW1, District: WORTHING, Beat: WW1001, BName: CENTRALDISTRICT, NPT: WW1) (Gazetteer Key - 403812702)) (BEEN)
Task status: All
Log type: All

Valid as of 16/10/2017 13:21:25
 Printed by #CS726 STANDING, A.

| Occurrence | Type | Entry time | Event time | Author | Link | Task |
|------------|------------------------------|------------------|------------|------------------|------|------|
| 471601 | Initial investigation report | 25/12/2016 04:34 | | #CB485 BROWN, R. | No | |

INITIAL INVESTIGATION REPORT
 CAD: 163 - 25/12/16
 Assault ABH

VICTIM

[REDACTED]

Log entry:

At approximately 03:45 hours on Sunday 25th December 2016, police attended Worthing hospital (A&E) upon reports from Ambulance, that a young male [REDACTED] was taken to A&E earlier with cuts to his face and a possible broken nose. [REDACTED] had stated to the ambulance and hospital staff that he had been assaulted. Having spoken with [REDACTED] who stated to police that he had been out in Worthing town centre, drinking with friends. He left bar one club (Liquid) at approx 03:00 hours and walked towards Worthing railway station. He was with a small group of friends and when they got to Blockbuster video/Winton Place roundabout on Chapel Road, one of the males turned and punched [REDACTED] to the left side of the face and then to the right side, causing him to stumble backwards and fall to the ground. Once on the ground, the male kicked him. The males then left, leaving him on his own. An unknown member of public who did not witness the incident was walking passed and came to his assistance and contacted Ambulance.

[REDACTED] was intoxicated, blowing 75 on the hospital breath test machine, so was not fit to provide a statement at that time.

[REDACTED] injuries included bruising to his left side of his face, a cut to his right side and a possible broken nose, however this is to be confirmed.

Photo taken on injuries and exhibited (with file)

[REDACTED] has stated that he knows the male who hit him, however at this time can only remember his first name as [REDACTED]



WITNESS STATEMENT

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

URN

Occurrence Number:

Statement of:

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

This statement (consisting of 2 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:

Date: 14/01/2017 04:42

Tick if witness evidence is visually recorded

On Saturday 14th January 2016 I was on duty in full uniform crewed with [REDACTED], assigned to call sign [REDACTED] a marked Police van. At approximately 0300hours we were tasked via our Police radio to attend One Club CHATSWORTH ROAD WORTHING WEST SUSSEX, after receiving a report of a male "kicking off" with door staff and being non-compliant.

We arrived on scene at approximately 0308hours, a male I now know to be [REDACTED] was being restrained by door staff security against a vehicle. I briefly spoke with [REDACTED] member of door staff who stated that he and his team ejected [REDACTED] due to his level of intoxication and behaviour, he states [REDACTED] then kicked off, became abusive and pushed him, they then had to restrain and detain him outside awaiting Police arrival.

I at 0130hours took hold of [REDACTED] left arm and [REDACTED] took hold of his right. [REDACTED] is a white male, of medium build and was dressed in a superman costume. He smelt strongly of intoxicating liquor, was unsteady on his feet, and his speech was beginning to slur, I would say he was drunk. I at 0310hours arrested [REDACTED] for common assault I said words to the effect of "DUE TO THE ALLEGATION MADE AGAINST YOU OF AN ASSAULT ON A DOOR STAFF MEMBER YOU'RE UNDER ARREST ON SUSPICION OF COMMON ASSAULT" I then cautioned him. At this point whilst walking [REDACTED] to the van he was swearing words to the effect of "WHERE THE FUCK IS MY PHONE" his phone was found and I showed him this, I at this time also told him to stop swearing. As we got closer to the van he saw door staff and began shouting and swearing at them again, words to the effect of "YOU FUCKING IDIOT." I with this then further arrested him for being drunk and disorderly. When asked for his details he began to become obstructive and said his name was [REDACTED] and failed to provide his address and any other details.

[REDACTED] was escorted to Worthing custody. On route to custody [REDACTED] continued to be verbally abusive. On arrival at custody, he refused to get out of the Van, I told him to get out, he refused. I then warned him if he does not get out we



[REDACTED]

MG11

will remove him, he still refused. Therefore myself and [REDACTED] took hold of [REDACTED] left and right arms and assisted him out. He then eventually walked on his own. Whilst walking him into custody he continued to try and be obstructive and pull against us. In front of the custody sargeant [REDACTED] failed to give his details, and continued to be obstructive, he was then taken straight to the cell.

His detention was authorised by the custody sargeant. Whilst going though [REDACTED] property two bankcards were found. They were not in [REDACTED] name therefore I have seized them at 0340hours as [REDACTED] - bank cards in names [REDACTED]

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[REDACTED]

[Redacted] (when complete)

WITNESS STATEMENT

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

URN

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Statement of: Warren Matthew JONES

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable CJ903

This statement (consisting of 7 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: [Redacted]

Date 17th October 2017

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

At approximately 0030 hours on Saturday 4th February 2017 I was on duty in full uniform, when I attended One Club, Chatsworth Road, Worthing. My visit was in relation to a serious assault that had taken place in One Club on 17th December 2016. Officers investigating that matter had reported that they had requested information from the ID Scanning machine at the premises in their enquiries to identify the suspect, but had not been provided with it. There were also significant concerns that the suspect had not been detained, and that staff at One Club had not called either the Police, or the Ambulance service at the time of the assault, but had instead taken the victim to hospital themselves. The police were only made aware of the assault when the victim called to report it, four days later.

I spoke to James Lanz the general manager, as the Designated Premises Supervisor (DPS) Barry Wells was reported to be on holiday.

Lanz confirmed that he had driven the victim to the hospital, but could give no explanation as to why Police were not called. In regards to the Ambulance, he stated that in the past they had waited a long time for an ambulance to arrive, and that it was quicker to drive the victim to hospital himself. I was aware that Lanz had previously driven a victim to hospital instead of notifying the emergency services, and had been warned about his actions on that occasion. I reminded Lanz of the premises obligations in regards to the licensing objectives, in particular The Prevention of Crime and Disorder, and Public Safety, and further warned him in regards to his actions. It was agreed that in the future, in all incidents of crime, door staff would detain both parties and call the police. This would remove the decision making on who was at fault, from the door staff,

[Redacted]

Continuation of statement of PC CJ903 Warren Matthew JONES and leave it with the police to investigate accordingly.

Lanz advised that he had been having difficulties in downloading the required data from the ID Scanner machine, and had been liaising with the operating company. Referring to premises licence LN/100001196, issued by Worthing Borough Council in regards to One Club, I was aware of condition 6 of Annex 3 (a condition attached after a review hearing by the Licensing Authority), which says:

“An identification scanning system with a strict no ID/no entry policy shall be operated at all times licensable activities are taking place unless prior written agreement with Sussex Police has been obtained or the system has suffered mechanical breakdown beyond the control of the proprietor. Information from the system shall be made available upon request to the Police in accordance with the Data Protection Act. Any breakdown or system failure will be reported to the Police immediately and remedied as soon as possible.”

I reminded Lanz of the premises obligation to provide the required information from the ID Scanner to assist in identifying the suspect for the assault. He gave me assurances that he would provide the information as soon as possible.

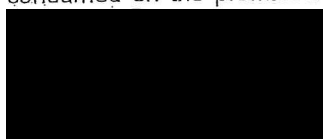
Out of the blue, Lanz then advised me of the name of the suspect for the assault on the 17th December 2016. He could offer no explanation as to why it had taken him nearly three months to provide this information, but further stated that the door supervisors knew the suspect.

I then spoke to Ian Young the owner of Link Security, and head doorman at One Club. He confirmed the details that Lanz had provided me with, and further stated that one of his door team had recognised the suspect on the night of the assault, and knew them to be a door supervisor from the Brighton area. Young stated that he had known the details of the suspect for some time, but could give no explanation as to why he had not provided the information to the police at an earlier date.

At 0132 hours on Sunday 12th February 2017, I was on duty in full uniform, accompanied by Mr Simon Jones of Worthing Borough Council, Licensing Authority, when we attended One Club. The DPS was not present on the premises, and was reportedly out of the country.

I spoke to James Lanz, as I was aware that the information from the ID Scanning machine had still not been provided. Lanz now advised me that the operating company were refusing to provide the details, however I was sceptical of this as the information should be held on the machine at the premises. I was satisfied that at the time of my visit, licensable activity in the form of the sale of alcohol was taking place, and that the alcohol was being consumed on the premises. I was satisfied that the premises had failed to provide information

Signature



Signature witnessed by: _____

Continuation of statement of PC CJ903 Warren Matthew JONES from the ID Scanning machine as required by condition 6 of the afore mentioned premises licence, and that as such the licensable activity taking place was unauthorised. At that time I served Lanz with a Closure Notice under s19 of the Criminal Justice and Police Act 2001. Lanz signed for receipt of the notice, and a copy was handed to him. A copy of the notice, and a covering letter was also emailed to the DPS.

At 2310 hours on Friday 23rd June 2017 I was on duty in full uniform, when I attended Chatsworth Road, Worthing to conduct licensing checks on Molotov, and One Club. Although the premises operate under two separate premises licences, they are operated by the same company and management team. The DPS, Mr Barry WELLS was not present during the visit, and was reportedly out of the country, but General Manager, James LANZ assisted me with my enquiries.

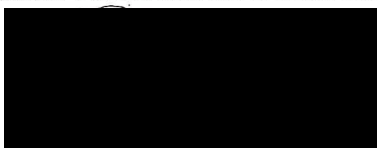
During my visit, I referred to Premises Licence LN/100001424, issued by Worthing Borough Council, in respect of One Club. The reason for my visit was to check for compliance with the conditions attached to the premises licence.

Referring to the above licence, Annex 1, section H, condition 3, states "A duty record of attendants must be maintained. The record must, on a daily basis, list the names of individuals who have worked that day." I asked Mr LANZ to produce these records, but he was unable to produce these records either physically or on computer, for inspection.

Annex 3, condition 3 states "Management shall adopt a dispersal policy which will be implemented by the door staff. This will be agreed with Sussex Police to prevent groups gathering and engaging in altercations. Records shall be made available to the local licensing authority and/or Sussex Police upon request." I asked to inspect the Dispersal Policy, but Mr LANZ was unable to produce it either physically or on computer.

Annex 3, condition 4 states "SIA door staff shall utilise functioning body worn videos at all times when they are on duty." During my visit, I could not see any door supervisors in possession of body worn videos (BWV), and as such I spoke to Ian YOUNG of LINKS Security. Mr YOUNG is the owner of LINKS Security, and is responsible for providing the door supervisors to both Molotov and One Club. I asked Mr YOUNG how many BWV's were being used that night, and he confirmed that none were being used at either premises. When I informed him of the requirement to use BWV at One Club, he indicated that he had not been aware of this, and further that he had never been told of any conditions that related to door staff.

Signature



Signature witnessed by: _____

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Continuation of statement of PC CJ903 Warren Matthew JONES

Annex 3, condition 11 states "An incident/refusals register shall be maintained and kept on the premises to record refusals and incidents of crime and disorder. These records shall be made available to the local licensing authority and/or Sussex Police upon request." I asked Mr LANZ for the incident/refusals register, but he was unable to produce them. He stated that the door company produced the incident register, and supplied the premises with a copy. Mr LANZ called for a member of the door team to bring a copy of the incident register to the office for inspection, but on arrival, all he had was his pocket note book. He did confirm that he transferred all details from the note book to a proper incident register, which he had at home. He also confirmed that at the request of Mr YOUNG, he had changed the format in which he produced the register, and had not provided a copy to the premises since January 2017. I asked Mr LANZ where any sales refusals were recorded, and he said that it was normal practice that the member of bar staff refusing service would inform a member of door staff, who would then record it in the incident register

Annex 3, conditions 12, 13 and 14 state: 12 - "Staff members to be engaged on selling alcohol on the premises shall receive full training pertinent to the Licensing Act, in particular but not exclusively in regard to age restricted sales and the refusal of sales to persons believed to be under the influence of alcohol or drugs," 13 - "Induction training must be completed and full documented prior to the sale of any alcohol by the staff member and refresher training thereafter at intervals no less than 8 weeks. All restricted sales training undertaken by staff members shall be fully documented and recorded." 14 - "All training records shall be made available to Sussex Police, Local Authority Licensing Officers and the Local Trading Standards service upon request." I asked Mr LANZ to produce the training records of all current staff, and in particular all staff working that night. Mr LANZ was unable to produce these, or any current training records. The most recent that were stored in the office were from 2012. Mr LANZ told me that they had undertaken some refurbishment work, and had moved all of the paperwork into storage around the building. I accompanied Mr LANZ while he searched in various areas of the premises for the relevant documents, but he was unable to locate them.

Annex 2, condition 2 states "CCTV of a quality acceptable to Sussex Police, covering the entire premises shall be in operation continuously. Recordings shall be kept on hard disk for at least 2 months and be available to officers of Sussex Police and the Licensing Authority on demand." I asked Mr LANZ to demonstrate the CCTV system and that it was retaining images for the required period. I accompanied Mr LANZ to the cash desk area at the top of the main stairwell, where the CCTV monitor

Signature  Signature witnessed by: _____

Continuation of statement of PC CJ903 Warren Matthew JONES
screen was mounted. Of the 16 camera feeds available, only ten were operating. I asked Mr LANZ why this was, and he stated that it was because they hadn't turned them on yet, as the main room wasn't open. I asked him if he could switch them on so that we could check coverage of the system, and after a short pause, he walked into the bar area, presumably to switch the cameras on. A few minutes later LANZ returned to the CCTV monitor, and it was clear that nothing had changed, and that instead of not being switched on, the cameras simply were not functioning. Reviewing the coverage of the CCTV feeds in company with LANZ, it was confirmed that there was no coverage of any of the licensable areas of the premises. LANZ checked the CCTV retention, and confirmed that it was only retaining images for one month. I was satisfied that at the time of my visit, licensable activity in the form of the sale of alcohol was taking place, and that the alcohol was being consumed on the premises. I was satisfied that the premises had failed to provide a CCTV system with coverage of the entire premises, and that it was not retaining images for the required amount of time as required by condition 2 of Annex 2 of the afore mentioned premises licence. At 2342 hours I served Lanz with a Closure Notice under s19 of the Criminal Justice and Police Act 2001. Lanz signed for receipt of the notice, and a copy was handed to him.

On Wednesday 28th June 2017, I received a number of emails from James LANZ, in relation to licensing visits I conducted at Molotov Cocktail and Vodka Bar (Molotov), and One Club, both in Chatsworth Road, Worthing, on Friday 23rd June 2017. These emails contained a number of files which Lanz identified as being documents I had previously requested from the two premises, but could not be produced for inspection at the time of my visit.

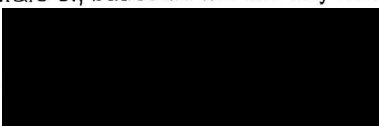
I opened a WORD document identified as being the dispersal policy for Molotov. I checked the document INFO page, which showed that it had been created at 2157 hours on 27th June 2017. I then opened a WORD document identified as being the dispersal policy for One Club. I checked the document INFO page, which showed that it had been created at 1455 hours on 27th June 2017.

It is apparent that neither document existed at the time of my licensing visit on 23rd June 2017.

In one of his emails, LANZ stated that the door staff's incident book for the two premises, which had not been at the premises and available for inspection at the time of my visit, was now at One Club. I requested that he hand it in to Chatsworth Road Police Station in Worthing, for my attention, which he did the following day.

I collected the incident book and subsequently inspected it. The records were dated from Friday 3rd February 2017 to Saturday 17th June 2017. I initially checked the records for recent incidents that the police were already aware of, but could not find any mention of them. I then checked each dated entry, cross referencing

Signature



Signature witnessed by:

Continuation of statement of PC C.J903 Warren Matthew JONES
any incidents with police records for those dates. I could not find any links.

On an entry dated 4th February 2017 the author had referred to Molotov as RETRO BAR. I was aware that the RETRO bar had closed in November 2016.

On an entry dated 3rd March 2017, the author noted a police inspection at 0023 hours. I could find no trace of this inspection in the Police licensing records held on the InnKeeper system. Searching the InnKeeper system further, I did find a record of a visit that appeared to correlate, dated 9th November 2014.

A further entry dated 3rd March 2017 showed that a customer had been found in possession of a suspected drug, and enquiries had been handed over to the police. I could find no trace of this matter on police systems for that date, but on further inspection, found a record of what appeared to be the incident, including the customer's details, but dated 9th November 2014.

On an entry dated 25th March 2017 the author detailed an assault on doorstaff, and listed the police crime reference number. I noticed that the crime reference number was issued in 2014, and on checking police records I saw that the incident had actually occurred on 23rd November 2014.

I continued to check the incident records, and began to notice that some of the later dated pages were copies of pages dated earlier in the year. The page dated 28th April 2017 was identical to that dated 31st March 2017, apart from the date at the top of the page. The page date 29th April 2017 was identical to that dated 4th February 2017, apart from the date at the top of the page. I found three further pages that were also copies of earlier dated pages.

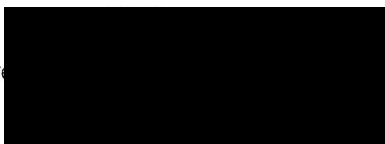
It was clear that the whole incident book had been fabricated from documents created years before, and bore no relevance to what it purported to be.

I seized the original incident book as evidence, and produce it as my exhibit marked WM.J/03.

At 2230 hours on Friday 14th July 2017, I was on duty in full uniform, when I attended One Club and spoke to James Lanz. I again asked him to provide me with a number of outstanding documents from my original licensing visit on 23rd June 2017. I reminded him that the documents requested should have been produced "on request", and that it was now three weeks since that request. LANZ subsequently produced the documents via email, the following night, and on request, dropped the originals at the police station for full inspection. On inspection of the staff rotas' and the staff training records, it was clear that at least ten training records were not produced. Additionally, on the staff training records provided, there was no record of any follow up or refresher training having taken place following the staff member's initial induction training.

At 0309 hours on Saturday 15th July 2017 (Friday 14th July 2017 trading period), I was on duty in full uniform

Signature



Signature witnessed by: _____

Continuation of statement of PC CJ903 Warren Matthew JONES
when I began to monitor the dispersal of customers from the One Club and Molotov.

I could see that the Late Night Refreshment van situated in the smoking area of One Club was still trading. The member of staff operating the van was serving customers, the van was illuminated, with the hatch up, and there was a queue waiting to be served.

Premises Licence LN/100001196 issued by Worthing Borough Council in respect of ONE Club permits the licensable activity of Late Night Refreshment, on Fridays, between 2300 and 0300 hours.

Whilst I monitored the van, a member of the door team came into the smoking area, and requested customers not to sit down next to the van. He made no effort to remove the customers, or to end the provision of Late Night Refreshment.

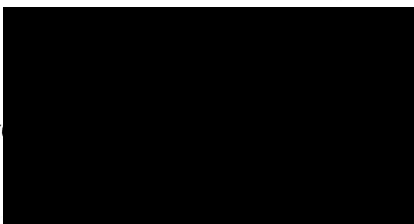
I left the smoking area and went to the front door of One Club, and asked one of the door supervisors to call James LANZ for me. While I was waiting for LANZ, I saw a male I know to be Ian YOUNG, standing in the middle of Chatsworth Road. YOUNG runs the company that provides Molotov and One Club with door supervisors. He was dressed smartly in a suit, but I could see that he did not have an SIA licence prominently displayed. YOUNG was proactively directing members of his door team in the dispersal procedure.

At 0313 hours LANZ joined me at the front of One Club, and I pointed out to him that the Late Night Refreshment van was still trading, beyond the premises licence permitted hours. LANZ acknowledged this, but made no effort to address it until I told him that he needed to stop the trading immediately. At this point LANZ closed the smoking area gates, ejecting all of the remaining customers.

At 0316 hours I saw that Ian YOUNG was interacting with a group of female customers who were being loud, and was calming them down. A short time later I could see that he was engaging in the dispersal of customers who were loitering in the road. I approached YOUNG and reminded him that he needed to be wearing his SIA licence if he was going to undertake door supervisor duties.

I was unaware at that point that YOUNG's SIA licence had expired some time previously, and he was effectively operating unlicensed.

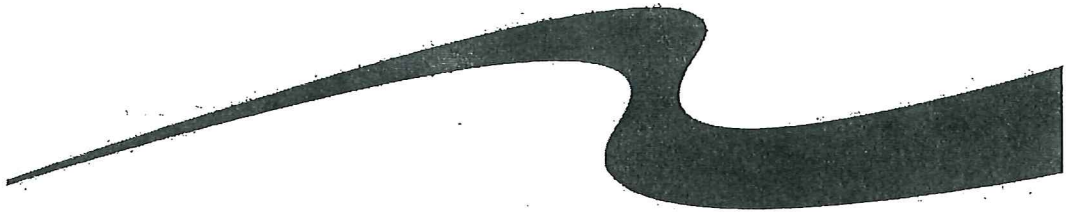
Signature



Signature witnessed by:

PTO

103/9



Public Health & Regulation
Licensing

Mr P Mott & Mr C Wells
Lounge Leisure Group Ltd.
One Club
31 Chatsworth Road
Worthing
West Sussex
BN11 1LY

Our Ref: LN/100001196
Date: 10th February 2017

Dear Mr Mott & Mr Wells

Licensing Act 2003: Suspension of Premises Licence
Re: One Club, 31 Chatsworth Road, Worthing, West Sussex, BN11 1LY

Section 55A of the Licensing Act 2003 places a duty on the Licensing Authority to suspend a Premises Licence if the annual fee is unpaid.

Our records show that the annual fee of **£295.00** for the above named premises was due for payment by 1st November 2016 but remains outstanding.

I am writing to advise you that if this outstanding fee is not paid within the next 14 days this authority will serve a notice of suspension on the licence holder. On receipt of the notice your Premises Licence will be suspended until payment is received in full.

Whilst a suspension is in force all licensable activity must cease and it is a criminal offence under Section 136 of the Licensing Act 2003 to carry on licensable activities from any premises without a valid Premises Licence. The maximum penalty on conviction is six months imprisonment and/or an unlimited fine.

If you believe this fee has been paid or you need to discuss the matter it is vital that you contact this office within the next 14 days to avoid the suspension.

Yours sincerely

Simon Jones
Senior Licensing Officer
Tel: 01273 263331
e-mail: licensing.unit@adur-worthing.gov.uk

cc: Sussex Police



Mr Barry WELLS
Lounge Leisure Group Ltd
One Club
31 Chatsworth Road,
WORTHING
West Sussex
BN11 1LY

Neighbourhood Licensing Team
West Sussex Division

12th February 2017

RE: One Club, 31 Chatsworth Road, Worthing, West Sussex, BN11 1LY

Dear Mr Wells,

I am writing to you in your capacity as the Designated Premises Supervisor for the above premises.

On 17th December 2016, an assault took place inside the above premises, resulting in the victim suffering from extensive facial injuries. Staff on duty at the premises failed to report the matter to the Police or call an Ambulance for the victim, but instead chose to drive the victim to Worthing hospital in their private vehicle. Door staff ejected the suspect, but then failed to detain him. I have since found out that the suspect was known personally by some of the door team. Police were finally informed of the assault, by the victim, on the 21st December 2016, and it was at that point that the investigation could begin.

On or around the 12th January 2017, the investigating officer requested details of the suspect from the premises Id Scan system. This request was made to James Lanz. Despite a number of follow up calls to Mr Lanz, the details from the Id Scan system have not been provided.

I must draw your attention to Premises Licence LN/100001196 issued by Worthing Borough Council in respect of the above premises, and specifically to Condition 6 of Annex 3 of that licence, which states:

“An identification scanning system with a strict no ID/no entry policy shall be operated at all times licensable activities are taking place unless prior written agreement with Sussex Police has been obtained or the system has suffered mechanical breakdown beyond the control of the proprietor. INFORMATION FROM THE SYSTEM SHALL BE MADE AVAILABLE UPON REQUEST TO THE POLICE in accordance with the Data Protection Act. Any breakdown or system failure will be reported to the Police immediately and remedied as soon as practicable.”

The Police investigation into this serious assault has already been hampered by the failings of the premises staff on the night in question. Additionally, it is unacceptable that a month has passed since this request for information from the Id Scan system was made, and it has still not been fulfilled. As a result of the failure to provide the required information upon request, and as such, in breach of the conditions attached to the above premises licence, I have served James Lanz with a Closure Notice under s19 Criminal Justice and Police Act 2001. A copy of the notice is enclosed. I strongly recommend that you make yourself aware of the information on the back of the notice, and take immediate steps to rectify the issues identified.

I must point out that as the Designated Premises Supervisor, you and the Premises Licence Holders, are responsible for the lawful conduct of this business and are reminded that it is a criminal offence under the

West Sussex Neighbourhood Licensing Team
Police Station, Hurst Road, Horsham, West Sussex,
RH12 2DJ

Telephone: 01273 404242
101 ext 530353

Licensing Act 2003 to carry on licensable activities from any premises in breach of the conditions of a premises licence. The maximum penalty on conviction is six months imprisonment and/or an unlimited fine. Furthermore, a review of this premises licence may be called for if further breaches of the Licence are substantiated.

Swift remedial action is required to rectify the unauthorised activity.

Your attention is drawn to section 20 of the 2001 Act. This provides the Police, or as the case may be the local authority, the ability to take action against the said premises by applying to a justice of the peace at the local Magistrates Court for a closure order if the unlicensed sale of alcohol is continuing or there is reasonable likelihood that the premises will be used in the future.

Please respond within 7 days from the date at the top of this letter, confirming what steps have been put in place to rectify the unauthorised activity.

I am happy for this to be by letter, or email to WS_licensing_WOR@sussex.pnn.police.uk

Sincerely,

Warren JONES
Police Constable CJ903

West Sussex Neighbourhood Licensing Team
Police Station, Hurst Road, Horsham, West Sussex, RH12 2DJ
Tel: 101 Ext: 530353 Mobile: 07780 227415
warren.jones@sussex.pnn.police.uk

Cc. Worthing Borough Council – Licensing Authority
Cc. Lounge Leisure Group Ltd - Premises Licence Holders

WITNESS STATEMENT

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

URN

Occurrence Number: [REDACTED]

Statement of: [REDACTED]

Age if under 18: [REDACTED]

(if over 18 insert 'over 18')

Occupation: [REDACTED]

This statement (consisting of 02 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: [REDACTED]

Date: [REDACTED] 02/2017 04:45

Tick if witness evidence is visually recorded

On Sunday 12th February 2017 I was on duty in uniform working in Worthing alongside [REDACTED]

[REDACTED] in call sign WW50, a marked carrier.

At approximately 01:45 hours [REDACTED] and

I were on routine mobile patrol in the town centre when we were diverted towards the area of Bar One night club on Chatsworth Road in Worthing as there was a disturbance outside the night club on the pavement area.

As my colleagues and I arrived, I could see security door staff from Bar One night restraining two males outside an adjacent building. As I approached I could clearly hear both males shouting and swearing at the door staff. I stood close by as it appeared that the door staff had it under control and I did not want to tread on their professional toes. After a short while both males calmed down slightly and it became apparent that an altercation had occurred inside the night club and security staff have had to intervene, resulting in them both being lawfully ejected from the club. Clearly this decision was not liked by the males and they were expressing their anger and disapproval towards the security staff.

One of the males who I now know to be [REDACTED] became agitated and again expressed his anger, shouting and swearing, lashing out, trying to punch the air and trying to push the security staff. At this point I stepped in and I pushed [REDACTED] up against the glass wall using my right hand on his upper chest area. Another police officer called [REDACTED] who by now was also present also stepped in to assist me. I could clearly smell intoxicating liquor on [REDACTED] breath, his eyes were glazed, his speech was slurred and he was unsteady on his feet. In my opinion [REDACTED] was drunk.

As [REDACTED] disorderly behaviour continued for some considerable time and attempts made to try and calm him down, I made the decision to arrest [REDACTED] for being drunk and disorderly. At 02:10 hours I said to [REDACTED] "YOU ARE UNDER ARREST FOR BEING DRUNK AND DISORDERLY IN A PUBLIC

PLACE" I then cautioned [REDACTED] to which he made no significant reply, other than a few extra swear words. Hand cuffs were placed to his rear and he was escorted away from the night club, across the road, to await suitable transport by myself and [REDACTED] was now dealing with the other male. [REDACTED] behaviour remained the same, however now he was in handcuffs he was restricted in his arm movements, although he still tried to pull way and resist. Once across the road on the south side of Chatsworth road, I tried to speak with [REDACTED] and defuse the situation and try to establish what happened during the evening. [REDACTED] started to calm down and began to speak with me as appose to shouting and swearing at me, however this was short lived as [REDACTED] became hostile again and making demands. [REDACTED] then tried to slide his arms under himself, so his handcuffs would be at the front. At this point I took hold of [REDACTED] and used reasonable force to prevent him from doing this.

After a short while, a marked police car arrived, so [REDACTED] and I escorted [REDACTED] towards the car, both firmly holding each arm. As I got to the rear of the car, I opened the door and told [REDACTED] to get inside, however [REDACTED] became rigid and refused to get inside. Even after gentle persuasion, [REDACTED] refused to get inside the car, so I knee struck his left thigh area, which took immediate effect and [REDACTED] lowered himself and got into the car. [REDACTED] tried to lay down and just play, so a decision was made that due to HARCOURT-BROWN'S hostile and now disruptive behaviour, [REDACTED] was best suited to be placed into the rear of a van. I asked [REDACTED] to get out the car and I pulled his left arm to assist him out, however again he became rigid and refused to get out. I continued to tell [REDACTED] to get out of the car, however he still refused. [REDACTED] was in a standing position in the rear and I manage to pull him out slightly. The only body area that was now showing and available was his upper body, so from the rear I placed my left arm around his upper chest area and pulled him towards me. This took an immediate effect and he was then taken to the floor with me landing on top of him. WE both got up and then walked to the adjacent marked van and he was transported to Worthing custody where his detention was authorised.

Once at custody, [REDACTED] remained hostile and was taken straight to the cell.



WITNESS STATEMENT

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9

URN

Occurrence Number:

Statement of:

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

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 in it anything which I know to be false, or do not believe to be true.

Signature:

Date: 05/03/2017 02:42

Tick if witness evidence is visually recorded

On Sunday th March 2017 I was on duty in full uniform crewed with on mobile patrol in a marked Police vehicle callsign . At about 0200 hours we were flagged down by doorstaff from the ONE CLUB in CHATSWORTH ROAD, WORTHING. Staff stated that they had a female who was alledging that a male had sexually assaulted her inside the ONE CLUB. The female had pointed out the male to staff and they also had him stopped on CHATSWORTH ROAD. spoke with the female making the allegation and I spoke with the male who had been pointed out as the suspect for the assault. The male told me his name was and that his date of birth was the appeared to me to be drunk as he was unsteady on his feet and smelt of intoxicating liquor. After a short while came over to me and confirmed that the female was alledging that whilst she was in the nightclub 'CLUB ONE' the male, who introduced himself to me as , came up to her and tried to kiss her and grabbed her around the back of the neck. explained to me that the female was also alledging that has grabbed her between her legs with his hand. As a result of this information at about 0220 hours on CHATSWORTH ROAD, WORTHING, I said to "I AM ARRESTING YOU ON SUSPICION OF SEXUAL ASSAULT BY TOUCHING" I cautioned then told me that his real name wasn't but that he wanted to change it to I asked what his real name was but due to his level of intoxication I couldn't understand what he was saying. I explained to him that his arrest was necessary to facilitate a prompt investigation by interview and as I did not know his real name to prevent his disappearance. was then transported to Durrington Custody where he gave his real name as . The custody sergeant authorised his detention. This statement was completed as soon as practicable upon my return to the Police Station





MG11

WITNESS STATEMENT

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9

URN

Occurrence Number:

Statement of:

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

This statement (consisting of 2 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:

Date: 19/03/2017 03:25

Tick if witness evidence is visually recorded

On Saturday 18th March 2017 at 23:00 hours I was on duty in full uniform conducting a mobile patrol of WORTHING WEST SUSSEX. I was in a marked car with the call sign and in the company of . At about 23:30 hours I was flagged down by security working on CHAPEL ROAD WORTHING, and informed that security at ONE CLUB, CHATSWORTH ROAD needed assistance. I attended that location and saw a male I know to be , who is a door supervisor at the ONE CLUB restraining a male. I now know the male being restrained to be who has a date of birth of 28th July 1978. I would describe him to be a white male, about five four nine to five foot ten inches tall of large build. He had a shaven head. He was wearing a dark blue t-shirt, dark blue jeans yellow trainers and was also wearing glasses. I have not seen him before but I would recognise him again. I will now refer to him as . I asked what had happened. He informed me that had been ejected from the club as he was intoxicated. Once outside the club on CHATSWORTH ROAD began to argue with another male. He stated pushed this other male to the floor where he banged his head on the floor causing it to bleed. I spoke to and immediately I could smell intoxicating liquor on his breath. His eyes were glazed, speech was slurred and in my opinion he was drunk. was acting in an aggressive manner, squaring up to me and the door staff so I placed his hands behind his back and put hand cuffs on him, double locking the cuffs and checking them for tightness. Based on what I had been told by the witness at 23:30 hours I said to "YOU ARE UNDER ARREST ON SUSPCION OF ASSAULT AMOUNTING TO ACTUAL BODILY HARM" I then cautioned who made no reply. I then said "YOUR ARREST IS NESSECARY TO ALLOW FOR THE PROMPT AND EFFECTIVE INVESTIGATION OF THE OFFENCE AND TO PREVENT ANY HARM TO ANY OTHER PERSON." I was joined by who went to speak to the victim in this matter. After a few minutes explained to me the victim had a head injury that would require hospital treatment. He was unable to remember what had happened due to his head injury and the fact he was also intoxicated. I

2010/11





MG11

then transported [redacted] to WORTHING HOSPITAL where his detention was authorised.

2010/11



[Redacted] (when complete)

WITNESS STATEMENT

Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9

11(T)

URN

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

Statement of: [Redacted]

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Social Worker and Foster Carer

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

Signature:

Date

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

This statement has been taken under the terms of the Sussex Police Telephone Statement Scheme. I, as a witness, am aware that this statement has been taken over the telephone to allow a prompt and efficient investigation by the police. I am aware that a hard copy of this statement will be sent to me in the post for me to sign in ink and return in the pre-paid envelope supplied. This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

I am the above named person and I reside at the address overleaf.

On 9th April 2017, my 17 year old foster daughter C [Redacted] went out for the evening with friends to a club in Worthing which we all know as the LIQUID LOUNGE. I don't know the address of the club, but it is in the same road as the little police station and opposite the bit multi-storey car park. It is the only club in Worthing.

The phone rang in the early hours of the morning and the children and I were all in bed asleep. One of the children heard the phone before I did and answered it, and A [Redacted]

Signature: _____

Signature witnessed by: _____

[Redacted] (when complete)

C's friend was on the other end. The phone was brought to me upstairs and I could hear A screaming and crying on the other end. She said that she had run outside the club to ring me as C had taken a pill and was fitting on the floor in the club and that she didn't know what to do. I asked where they were and A said they were outside the Liquid Lounge.

I immediately jumped in the car and pulled up right outside the front door of the club. I could see C lying on the pavement a bit down from the club in the dark. I went over to C first to check what state she was in. She was conscious but not making much sense, and her eyes were like saucers and she was gurning. A and the other girls told me that C had used someone else's ID to get into the club (someone who looked nothing at all like her), and that she had taken a whole MDMA pill in the club (as opposed to the half pill that others had taken, including underage L) that a friend of a friend had given her (C wouldn't divulge who this was). This triggered C to have a seizure in the club and she started fitting. The girls then told me that two bouncers had carried C out of the club by her hands and feet, with one of her friends holding onto one of her arms. They had then placed her down on the pavement further up the road from the club in the dark and returned to the club. A male called R who is known to us due to our having fostered videoed the bouncers carrying C out, and I have viewed all of this footage on snapchat.

I was extremely angry and went over to the bouncer at the door saying "SHE'S UNDERAGE AND SHOULDN'T HAVE BEEN ABLE TO GET INTO YOUR CLUB. SHE'S A CHILD AND HAS BEEN GIVEN DRUGS IN YOUR CLUB AND HAD A SEIZURE. WHY DIDN'T YOU STAY WITH HER OR GET HER MEDICAL HELP?" He shrugged his shoulders and went to get another male who I assumed was the head doorman as he was much older and I have seen him around before. He said "WE DIDN'T KNOW SHE WAS A CHILD. SHE HAD ID AND WE'D NEVER HAVE LET HER IN WITHOUT ID". I responded by telling them that the ID she had used was for someone else who looked absolutely nothing like C, and they just kept saying over and over "WE DIDN'T KNOW SHE WAS UNDERAGE". They just didn't seem to appreciate that it wasn't just the issue of being let

Signature: _____

Signature witnessed by: _____

in underage here. C had taken drugs in their club, had a fit as a result and then been dumped outside away from the club with no one watching over her or calling for medical assistance.

I noticed two police officers heading towards me, maybe because I was so irate. I explained to them what had happened and that C was underage and had been given drugs in the club. I asked if they would be able to call an ambulance for C. The officer told me that at that time of night there would probably be a fair wait, so it would be better if I were to drive her to A&E as it was nearby. I put C in my car and drove her to the hospital and they admitted her to the children's ward overnight and for the whole of the following day as she tested positive for MDMA and had an irregular heartbeat.

The doorman I talked most to and who I assumed was in charge, is a white male, aged in his early 50s, about 5'9 in height, of stocky build and has short hair. I can't remember the other guy as I didn't really talk to him for long, but he was much younger. I am horrified at the lack of a duty of care exercised here and the fact that the doormen didn't know whether C was dead or alive as they had put her out of sight in the dark.

This statement was made to Sussex Police at my dictation on 21st September 2017 at 13:00 hours. The statement taker, Police Staff No. [redacted] A [redacted] L [redacted] has emailed it back to me and I confirm that it is an accurate record of the events, and that I have had the opportunity to amend what has been written to make it accurate. I will return the written copy to the police once signed, but I am aware that this telephone statement may be used in any proceedings and that I may be held to account for not signing it in any future court proceedings.

SIGNED: _____

Signature: _____ Signature witnessed by: _____



Mr Barry WELLS
Lounge Leisure Group Ltd
One Club
31 Chatsworth Road,
WORTHING
West Sussex
BN11 1LY

**Neighbourhood Licensing Team
West Sussex Division**

27th June 2017

RE: One Club, 31 Chatsworth Road, Worthing, West Sussex, BN11 1LY

Dear Mr Wells,

I am writing to you in your capacity as the Designated Premises Supervisor, and Premises Licence Holder for the above premises.

On Friday 23rd June 2017 I attended the premises to check for compliance with the Conditions attached to Premises Licence LN/100001196 issued by Worthing Borough Council, in respect of the above premises.

As you were not present at the premises, I spoke with the General Manager, Mr James Lanz, who was happy to assist on your behalf.

At the time of my visit, the premises was open to the public, and the licensable activity of the sale of Alcohol was taking place. This alcohol was being consumed on the premises.

Mr Lanz demonstrated the CCTV system that was in operation. Referring to the above premises licence, I must firstly draw your attention to Annexe 2: Conditions Consistent with the Operating Schedule, Part A: General conditions covering the whole of the club, Condition 2, which states:

“CCTV of a quality acceptable to Sussex Police, covering the entire premises shall be in operation continuously. Recordings shall be kept on hard drive for at least 2 months and be available to Sussex Police and the Licensing Authority on demand.”

I must also draw your attention to Annexe 2: Conditions Consistent with the Operating Schedule, Part B: Conditions specific to the designated smoking area adjacent to the club, Condition 4, which states:

“The area will be monitored by the premises CCTV system. Imaging storage and inspection to be in accordance with the Police’s requirements.”

Attached to this letter is a screen shot of the CCTV monitor screen above the reception in the premises. It shows that there are 16 available channels for CCTV cameras. Of these 16 channels, 6 are showing as "No Signal".

Of those displaying an image, Cameras 2, 3, and 10 are undecipherable and do not show any relevant or licensed areas where the public have access.

Camera 4 covers the designated smoking area, but as you can see, the Burger Van obscures almost all of the image. This is not acceptable coverage of this area. The whole of the smoking area, including the servery hatch of the burger van needs to be visible.

Cameras 5, 8, 13 and 15 show areas of the roadway outside the front of the premises.

Camera 7 shows the top of the stairs, up from the main entrance to reception.

Camera 12 shows an area of the main room, near to the bar.

There is no CCTV coverage of the front door entrance or queue; no coverage at all of the smaller bar and dance floor area; no coverage of the toilets; no coverage of the main bar, the fire exits, the main dance floor, or any of the booths. This list is not exhaustive, but essentially the coverage provided by the current CCTV system is wholly inadequate. As an example, similarly sized premises elsewhere in the county operate up to 3 times the number of cameras.

Mr Lanz demonstrated the playback facility of the system, and it was found to be retaining images for one month, not the two as required by the condition mentioned above.

The CCTV system at One Club is not of the required quality, coverage, or retention capabilities as required by the premises licence conditions.

Because of this, and in your absence, I have served James Lanz with a Closure Notice under s19 Criminal Justice and Police Act 2001. A copy of the notice is enclosed. I strongly recommend that you make yourself aware of the information on the back of the notice, and take immediate steps to rectify the issues identified.

I must point out that as the Designated Premises Supervisor, and the Premises Licence Holder, you are responsible for the lawful conduct of this business and are reminded that it is a criminal offence under the Licensing Act 2003 to carry on licensable activities from any premises in breach of the conditions of a premises licence. The maximum penalty on conviction is six months imprisonment and/or an unlimited fine. Furthermore, a review of this premises licence may be called for if further breaches of the Licence are substantiated.

Swift remedial action is required to rectify the unauthorised activity.

Your attention is drawn to section 20 of the 2001 Act. This provides the Police, or as the case may be the local authority, the ability to take action against the said premises by applying to a justice of the peace at the local Magistrates Court for a closure order if the unlicensed sale of alcohol is continuing or there is reasonable likelihood that the premises will be used in the future.

Referring again to the premises licence, I must draw your attention to Annex 3: Conditions attached after review hearing by the Licensing Authority, Condition 15, which states:

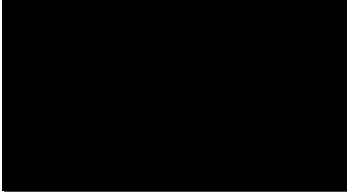
"CCTV to be installed in accordance with Home Office guidelines relating to UK police requirements for digital CCTV systems covering the entire premises including the outside areas/front of the premises."

For your information and to assist you, I have attached a copy of those guidelines to this letter.

Please respond within 7 days from the date at the top of this letter, confirming what steps have been put in place to rectify the unauthorised activity.

I am happy for this to be by letter, or email to WS_licensing_WOR@sussex.pnn.police.uk

Sincerely,



Warren JONES
Police Constable CJ903

West Sussex Neighbourhood Licensing Team
Police Station, Hurst Road, Horsham, West Sussex, RH12 2DJ
Tel: 101 Ext: 530353 Mobile: 07780 227415
warren.jones@sussex.pnn.police.uk

Cc. Worthing Borough Council – Licensing Authority
Cc. Lounge Leisure Group Ltd - Premises Licence Holders

Police copy

CLOSURE NOTICE - SECTION 19 CRIMINAL JUSTICE AND POLICE ACT 2001

Date of the Closure Notice : 23/6/12 Time Served : 2310

Authority issuing Notice : Sussex Police

Name and Rank of person making the notice : P. O'NEILL, CONSTABLE

Signature : [Redacted]

Name and address of the affected premises :

107-109, 31 MARSDEN ROAD
LITTLEHAMPTON, PO14 1JY

Alleged unauthorised use of premises (section 19 (6) (a))

The officer serving this notice is satisfied that the above premises are being or within the last 24 hours have been, used for the unauthorised sale of alcohol for consumption on, or in the vicinity of the premises. The specific details of the alleged use are:

OPEN SYSTEM FOR PROVIDING SUPPLIES
CONSUMED, AND FOR RECEIVING ORDERS FOR
THE PERIOD TWO (2) MONTHS.

Steps that may be taken to end the alleged unauthorised use of the premises, or to prevent it from reoccurring (section 19 (6) (c))

Remove alcohol from premises, & provide
SUFFICIENT CONSOLE OR LOCKED AREA

Effect of section 20, Application for closure order.

A failure to take remedial action to prevent further or continued unauthorised use may lead to an application being made to the Magistrates' Court for a closure order under section 21 Criminal Justice and Police Act 2001.

The person on whom the Closure Notice has been served:

Name : JAMES, LADY

Signature : [Redacted] Date : 23/6/12



At 10:45 one IC1 male who had previously been barred was refused entry at the front door. He was verbally abusive then he left. No injuries sustained. No police required.

At 12:20 one IC1 male was hit in the face on the dancefloor. He declined medical and police assistance. Cut lip sustained.

At 12:22 one IC1 male was hit in the face in the North bar. He declined medical and police assistance. Cut lip sustained.

At 12:50 two IC1 females were fighting in the reception area. Both were removed. Police intervened at one females request. Hair pulled was injury sustained. All correspondance to Dave (doorman)

At 01:15 the two females above were fighting again outside. The police took over the case.

At 01:25 two IC1 males were fighting in the Icebar. Door staff and management intervened to remove the males. A complaint was made to Ian (head doorman) and James (General manager) regarding harsh treatment by Paul (manager) and Alan (doorstaff). On going investigation.

At 02:24 one IC1 male was fighting an IC3 male in the North bar. The IC1 male was asked to leave after hitting the IC3 male. No injuries sustained. No police required.

At 02:57 two polish males were fighting in the reception area. Both males were removed from the premises. Both males were barred for a year. No injuries sustained. No police required.

SAT 4-2-2017

At 11:34pm in the retro bar toilets a young male was searched due to showing characteristics and behaviour of being under the influence of drugs. A small plastic bag of white powder was found. This was placed into an evidence bag.

Evidence bag no SB800068971 was handed to the manager.

The young male was escorted off the premises and barred for life. No police required. No injuries sustained.

At 01:53 in the Ice bar 5 IC3 males were fighting each other. All were asked to leave the premises. 3 were escorted out of the front door. 2 were escorted out of the rear exit. No injuries sustained. No police required.

At 02:40 at the North bar 4 IC1 females aged 18 and 19 were fighting each other. All were asked to leave the premises. 2 were escorted out of the front exit. 2 were escorted out of the rear exit. No injuries sustained. No police required.

At 00:37 one IC1 female was found unconscious in the toilets. She was brought round and given water. She was taken to the front door and passed to the Street Pastors. No injuries sustained. No police required.

At 02:50 two IC1 males were fighting in the smoking area. Both were asked to leave. One via the front door. One via the back door. No injuries sustained. No police required.

At 02:55 one IC1 male was fighting in the smoking area. He was removed via the front door. While outside he became aggressive and started fighting with the police. He was arrested. Injuries sustained including a cut face and a bump on head.

At 11.30 1 IC1 male aged around 18 was refused entry at the front door due to previous rudeness and aggravation towards door staff. The male left. No injuries sustained. No police required.

At 11.45 1 IC1 female aged about 18 was refused entry at the front door due to previous fighting and refusal to leave. It was explained to the female she has a 3 month ban from the premises. The female left. No injuries sustained. No police required.

At 01.06 Mr ~~Joe G~~ was hit in the face at the North bar. He sustained injuries to his left lip area. ~~Joe~~ was advised to go to hospital but he refused. He was asked if he would like to press charges but he declined. His assailant had already left the premises. No police required.

At 02.05 in the reception area 1 IC1 male who is at present barred from the premises was asked to leave. The male left with 15 of his friends with no problems. No injuries sustained. No police required.

At 23:10 one IC1 male was being threatening and abusive to bar staff in the Retro bar. He was later identified as J. F. [REDACTED] of 22 [REDACTED]. He was asked to leave the premises and given a six month ban. No Police required. No injuries sustained.

At 02:30 two IC1 males were drunk in the North bar. One male was being aggressive and abusive to door staff. Both males were asked to leave and escorted out of the North exit. No injuries sustained. No police required.

At 02:40 four IC1 females were fighting in the North bar. All were asked to leave the premises. Two were escorted out of the front exit. Two were escorted out of the back exit. No injuries sustained. No police required.

SAT 18-2-2017

At 01:05 one IC1 female was found passed out in the toilets. She was brought round and given water. Her friend took her home. No injuries sustained. No police required.

At 01:30 two IC1 males were fighting on the dancefloor. Both males were removed. One via the front door. One via the back door. No injuries sustained. No police required.

At 02:30 two IC1 males were fighting in the Ice bar. Both males were removed. One via the front door. One via the back door. No injuries sustained. No police required.

At 11:00 Joe F [REDACTED] attempted to gain entry to the Retro bar. He was informed he was not permitted on the premises and the matter is on-going. He left after giving some verbal abuse. No injuries sustained. No police required.

At 00:00 one IC1 female who had been spoken to previously about her behaviour started fighting with 3 other females in the North bar. She refused to leave so was physically removed by door staff via the front door. She continued to be verbally abusive to door staff while outside and was removed by the police. No injuries sustained.

At 01:06 one IC1 male was hit in the face in the North bar. He was treated for first aid. When recommended he went to hospital he refused. When asked if he would like to press charges he refused. The male went back into the club. No police required. Cut lip sustained.

At 01:47 one albanian male was being aggressive. He was calmed down. His group of friends left with him with no further problems. No injuries sustained. No police required.

FRI 3-3-2017

01:30 ICI female early twenties was asked to leave due to being intoxicated. She was later identified as Miss B [REDACTED].

At 01:33 an ambulance was called for an ICI female. Reg R [REDACTED] Number 15 [REDACTED] 0 [REDACTED]. See Jan.

At 01:40 a police inspection took place. CB51 0023.

At 02:00 two ICI males were fighting in the cloakroom. Both males were asked to leave via separate exits. No police required. No injuries sustained.

At 02:55 one ICG male was found in possession of one bag of white powder. Evidence bag number [REDACTED] 004

Identification taken from his driving licence.

[REDACTED]

T [REDACTED]

C [REDACTED]

M [REDACTED]

II [REDACTED]

N [REDACTED]

Police following up incident.

SAT 4-3-2017

11-23 a ICI female was searched and an empty bag was found. Female refused entry. Female identified as Mrs H [REDACTED] T [REDACTED] D.O.B. [REDACTED] 96.

Car registration [REDACTED] [REDACTED]. Suspected drug dealer.

FRI 10-3-2017

At 00:21 two ICI males were fighting in the cloakroom.
Both were removed from the premises via separate exits.
No injuries sustained. No police required.

At 00:30 one of the above ICI males started fighting with
security staff. The male was arrested. Ongoing police
investigation.

At 01:54 three ICI males were fighting with two ICI males
in the smoking area. The two groups were removed
separately from the premises. No injuries sustained. No
police required.

At 23.30 one ICI male in his thirties was being abusive to bar staff in the Ice Bar. He was asked to leave and became aggressive to door staff. He was removed and arrested on his departure.

At 02.10 one ICI male hit another ICI male on the dance floor. He was asked to leave. No injuries sustained. No police required. Male is currently barred.

At 02.50 one ICI male became aggressive in the reception area. He was asked to leave and refused. Door staff restrained and removed him. No injuries sustained. No police required.

FRI 24-3-2017

At 11.44pm an 1ci female was asked to leave for anti social behaviour in the smoking area. No injuries sustained. No police required.

At 23.45 an 1ci male was asked to leave for being intoxicated in the smoking area. No injuries sustained. No police required.

At 00.45 an 1ci female hit a manager in the North bar. The female was restrained and removed from the premises. No charges brought against her. No injuries sustained. No police required.

At 01.10 one 1ci male was removed from the premises for being aggressive on the dance floor. No injuries sustained. No police required.

SAT 25-3-2017

At 23:20 one 101 male was being rude to bar staff in the Ice bar and was asked to leave. He refused and became verbally abusive. Security staff removed him from the premises. No injuries sustained. No police required.

At 00:15 and 101 male was spitting at bar staff in the East bar. He was asked to leave. He refused. Security staff restrained him and removed him. The male continued to be abusive in the reception area and was arrested as he left the premises. Ongoing police investigation. The male was barred from the premises for life. Male identified as Mr R [REDACTED]

At 00:47 one 101 male was asked to leave the premises for being abusive to customers. He refused. Security staff restrained and removed him. No injuries sustained. No police required. The male is currently barred.

At 00:50 an 101 male with a moustache was asked to speak to the security staff but reacted violently. One door staff (James) was grabbed on the testicles. Another door staff (Mick) was punched in the right eye. Another door staff (Paul) was grabbed on the testicles. The police arrived and arrested the male. Ongoing police investigation. Male bailed. Crime number - [REDACTED] [REDACTED] [REDACTED]

At 02:45 4 101 males were fighting in the smoking area. All were removed separately from the premises. One male received a hurt lip. No police required.

Fri 31-3-2017

Between 01:01 and 01:20 10 1c1 males were fighting in the cloakroom. This spilled into the North bar. Five of the males were removed via the North exit. The other five males were taken out of the front entrance where they continued to fight with four 1c3 males. The five males are believed to be from Bognor. They are now barred. No injuries sustained. No police required.

At 01:45 one 1c3 male was being aggressive to reception staff. He was removed from the premises and barred. No injuries sustained. No police required.

At 02:30 one 1c1 male tried to hit an 1c1 female while in the smoking area. Door staff intervened and the male continued to fight with Mo (door member). During the fight the male hit his head on the ground. Other door staff restrained the male and removed him. The male accused Mo of assault so the police were called. The police watched the CCTV footage and decided no charges to be brought against Mo. The male was given medical treatment in an ambulance then he was arrested. Police number - [REDACTED]

At 00:45 two 1c1 males were fighting on the dance floor. One was removed via the back exit. One was removed via the front entrance. No injuries sustained. No police required.

At 01:50 seven 1c5 males were fighting with two 1c5 males and two 1c5 females. The seven males were removed via exit A. No injuries sustained. No police required.

At 02:10 one 1c5 male was fighting with two 1c3 males in the ice bar. The 1c5 male was removed and barred. No injuries sustained. No police required.

At 02:10 one 1c3 male was asked to leave for continuously refusing to remove his cap while in the Ice Bar. He became aggressive and was removed from the premises. He is now barred. No injuries sustained. No police required.

At 02:15 one 1c1 female punched an 1c3 female in the face while in the smoking area. The 1c1 female was named as D [REDACTED] P [REDACTED]. She was removed and barred from the premises. No injuries sustained. No police required.

At 02:25 one 1c1 female hit another 1c1 female who then sustained a chipped tooth. The attacker was removed. She was barred and put on the system. No police required.

At 10:45 a female named as Miss Ha [redacted] R [redacted] C [redacted] was searched at the front door. A green substance was found. This was bagged (evidence bag number - [redacted]) and given to the General Manager. Her address is [redacted] [redacted] [redacted] Date of birth - [redacted]. The female was barred. No injuries sustained. No police required.

At 00:10 4 ICI males were fighting on the dance floor. 2 were removed via the back exit, 2 were removed via the front entrance. No injuries sustained. No police required.

At 01:12 one ICI male was hit in the face by another ICI male on the main dance floor. The male who hit him was removed. The male who was hit - named as A [redacted] M [redacted] of [redacted] [redacted], then tried to fight with security staff. A [redacted] was arrested. Police number [redacted].

SAT 8-4-2017

At 23:25 an ICI male known as T [redacted], who is barred tried to enter the premises. He was refused and became verbally abusive. The police removed him.

At 23:45 an ICI male was found being sick. An ambulance was called and he left in the ambulance.

At 01:30 an ICI female alleged her drink was spiked. The general manager looked after her until her mum collected her and took her home.

At 02:45 an ICI male was being aggressive to bar staff in the North bar. He was asked to leave but removed as he refused. He is now barred. No injuries sustained. No police required.

At 10:35 an ici female known as E [REDACTED] A [REDACTED] had her bag searched at the front door. A bag of green substance was found. The female snatched the bag back and ran away. The female is now barred. No injuries sustained. No police required.

At 11:30 two ici males were fighting on the dance floor. 1 was removed via the back exit. One was removed via the front entrance. No injuries sustained. No police required.

At 12:30 Three ici males were fighting on the dance floor. One way removed via the back exit. Two were removed via the front entrance. No injuries sustained. No police required.

At 12:35 four ici males were fighting at the back of the DJ box. Two were removed via the back exit. Two were removed via the front entrance. No injuries sustained. No police required.

At 00:45 two ici males were fighting in the V.I.P. area. One was removed via the back exit. One was removed via the front entrance. No injuries sustained. No police required.

At 00:50 two ici males were searched at the front door. Both were found in possession of a white substance. Each was bagged (evidence bag numbers - [REDACTED] and [REDACTED]) and given to the general manager. The males were named as R [REDACTED] [REDACTED] of [REDACTED], [REDACTED], [REDACTED] and K [REDACTED] of [REDACTED], [REDACTED], [REDACTED]. Both males are barred. No injuries sustained. No police required.

SAT 15-4-2017

At 23:55 an ICI male tried to hit a member of door staff (M. [REDACTED] [REDACTED]). The male was removed and barred. No injuries sustained. No police required.

At 00:30 an ICI female known as N. [REDACTED] was allegedly drunk and became verbally abusive. The female was removed from the premises. No injuries sustained. No police required.

At 00:35 an ICI female suffered an apparent panic attack. The general manager took her to exit A. When she felt better she went back into the premises.

At 01:00 one ICI male known as C. [REDACTED] punched another ICI male in the face. Both males were removed. No injuries sustained. No police required.

At 01:50 a large group of males were asked to leave the light bar as they were getting rowdy. All left. No injuries sustained. No police required.

FRI 21-4-2017

At 00:12 an ICI female was found passed out allegedly drunk in the North bar. An ambulance was called and they took the female to hospital

At 01:30 four ICI males were fighting in the North bar. Two were removed via the back exit. Two were removed via the front entrance. No injuries sustained. No police required.

At 02:45 3 ICI males were fighting another three ICI males in the cloakroom. All six males were removed from the premises. Three of the males left. Three of the males were arrested for breach of the peace.

SAT 22-4-2017

At 01:00 an ICI male was searched on the front door. He was believed to be under the influence of drugs. He flew into a rage and became aggressive towards door staff and police. He then hit his head on a wall. The police took him to an ambulance but he again became aggressive to ambulance staff. The police escorted him in the ambulance to A and E. The matter is ongoing.

At 02:10 an ICI male known as JOE who is barred tried to gain entry to the premises. He became aggressive when refused entry. No injuries sustained. No police required.

At 02:30 an ICI male named as IAN S [REDACTED] was allegedly drunk at the front entrance so was refused entry. He became aggressive and is now barred. No injuries sustained. No police required.

FRI 28-4-2017

At 00:45 two 1c1 males were fighting on the dancefloor. One was removed via the back exit. One was removed via the front entrance. No injuries sustained. No police required.

Between 01:01 and 01:20 10 1c1 males were fighting in the cloakroom. This spilled into the North bar. Five of the males were removed via the North exit. The other five males were taken out of the front entrance where they continued to fight with four 1c3 males. The five males are believed to be from Bognor. They are now barred. No injuries sustained. No police required.

At 01:45 one 1c3 male was being aggressive to reception staff. He was removed from the premises and barred. No injuries sustained. No police required.

At 02:30 one 1c1 male tried to hit an 1c1 female while in the smoking area. Door staff intervened and the male continued to fight with Mo (door member). During the fight the male hit his head on the ground. Other door staff restrained the male and removed him. The male accused Mo of assault so the police were called. The police watched the CCTV footage and decided no charges to be brought against Mo. The male was given medical treatment in an ambulance then he was arrested. Police number - [REDACTED]

SAT 29-4-2017

At 11:34pm in the retro bar toilets a young male was searched due to showing characteristics and behaviour of being under the influence of drugs. A small plastic bag of white powder was found. This was placed into an evidence bag.

Evidence bag no [REDACTED] was handed to the manager.

The young male was escorted off the premises and barred for life. No police required. No injuries sustained.

At 01:53 in the Ice bar 5 IC3 males were fighting each other. All were asked to leave the premises. 3 were escorted out of the front door. 2 were escorted out of the rear exit. No injuries sustained. No police required.

At 02:40 at the North bar 4 IC1 females aged 18 and 19 were fighting each other. All were asked to leave the premises. 2 were escorted out of the front exit. 2 were escorted out of the rear exit. No injuries sustained. No police required.

FRI 5-5-2017

At 11:30 1 IC1 male aged around 18 was refused entry at the front door due to previous rudeness and aggravation towards door staff. The male left. No injuries sustained. No police required.

At 11:45 1 IC1 female aged about 18 was refused entry at the front door due to previous fighting and refusal to leave. It was explained to the female she has a 3 month ban from the premises. The female left. No injuries sustained. No police required.

At 01:06 Mr Lee G [REDACTED] was hit in the face at the North bar. He sustained injuries to his left lip area. Lee was advised to go to hospital but he refused. He was asked if he would like to press charges but he declined. His assailant had already left the premises. No police required.

At 02:05 in the reception area 1 IC1 male who is at present barred from the premises was asked to leave. The male left with 15 of his friends with no problems. No injuries sustained. No police required.

SAT 6-5-2017

At 23:10 one IC1 male was being threatening and abusive to bar staff in the Retro bar. He was later identified as Joe F. of 22 . He was asked to leave the premises and given a six month ban. No Police required. No injuries sustained.

At 02:30 two IC1 males were drunk in the North bar. One male was being aggressive and abusive to door staff. Both males were asked to leave and escorted out of the North exit. No injuries sustained. No police required.

At 02:40 four IC1 females were fighting in the North bar. All were asked to leave the premises. Two were escorted out of the front exit. Two were escorted out of the back exit. No injuries sustained. No police required.

FRI 12-5-2017

At 11:00 Joe F [redacted] attempted to gain entry to the Retro bar. He was informed he was not permitted on the premises and the matter is on-going. He left after giving some verbal abuse. No injuries sustained. No police required.

At 00:00 one IC1 female who had been spoken to previously about her behaviour started fighting with 3 other females in the North bar. She refused to leave so was physically removed by door staff via the front door. She continued to be verbally abusive to door staff while outside and was removed by the police. No injuries sustained.

At 01:06 one IC1 male was hit in the face in the North bar. He was treated for first aid. When recommended he went to hospital he refused. When asked if he would like to press charges he refused. The male went back into the club. No police required. Cut lip sustained.

At 01:47 one Albanian male was being aggressive. He was calmed down. His group of friends left with him with no further problems. No injuries sustained. No police required.

SAT 13-5-2017

At 01:05 one IC1 female was found passed out in the toilets. She was brought round and given water. Her friend took her home. No injuries sustained. No police required.

At 01:30 two IC1 males were fighting on the dancefloor. Both males were removed. One via the front door. One via the back door. No injuries sustained. No police required.

At 02:30 two IC1 males were fighting in the Ice bar. Both males were removed. One via the front door. One via the back door. No injuries sustained. No police required.

FRI 19-5-2017

At 00:37 one IC1 female was found unconscious in the toilets. She was brought round and given water. She was taken to the front door and passed to the Street Pastors. No injuries sustained. No police required.

At 02:50 two IC1 males were fighting in the smoking area. Both were asked to leave. One via the front door. One via the back door. No injuries sustained. No police required.

At 02:55 one IC1 male was fighting in the smoking area. He was removed via the front door. While outside he became aggressive and started fighting with the police. He was arrested. Injuries sustained including a cut face and a bump on head.

SAT 20-5-2017

At 01:47 a licensing Inspection was carried out. Police Officer number CE246. Outcome - nothing to report.

At 02:32 one IC1 female reported that her drink had been spiked by a male in the bar. The male was searched but nothing was found. The girl declined any medical attention. The girl declined to speak to police. She left the premises with her friend.

At 01:53 5 IC3 males were fighting in the Ice bar. All were removed from the premises. Three left via the front door. Two left via the back door. No injuries sustained. No police required.

At 02:10 one IC1 male was alleged to have taken drugs in the Retro bar toilets. He was searched by the Head doorman and some white powder was found. This was put into an evidence bag number [REDACTED]. The evidence bag was given to the manager. The male was removed from the premises and barred indefinitely. No injuries sustained. No police required.

FRI 26-5-2017

At 10:45 one IC1 male who had previously been barred was refused entry at the front door. He was verbally abusive then he left. No injuries sustained. No police required.

At 12:20 one IC1 male was hit in the face on the dancefloor. He declined medical and police assistance. Cut lip sustained.

At 12:22 one IC1 male was hit in the face in the North bar. He declined medical and police assistance. Cut lip sustained.

At 12:50 two IC1 females were fighting in the reception area. Both were removed. Police intervened at one females request. Hair pulled was injury sustained. All correspondance to Dave (doorman)

At 01:15 the two females above were fighting again outside. The police took over the case.

At 01:25 two IC1 males were fighting in the Icebar. Door staff and management intervened to remove the males. A complaint was made to Ian (head doorman) and James (General manager) regarding harsh treatment by Paul (manager) and Alan (doorstaff). On going investigation.

At 02:24 one IC1 male was fighting an IC3 male in the North bar. The IC1 male was asked to leave after hitting the IC3 male. No injuries sustained. No police required.

At 02:57 two polish males were fighting in the reception area. Both males were removed from the premises. Both males were barred for a year. No injuries sustained. No police required.

SAT 27-5-2017

At 00:08 two IC1 females were fighting at the V.I.P. area. Both females were asked to leave. No injuries sustained. No police required.

At 02:41 one IC1 female was found being sick in the ladies toilet. She was allegedly drunk. She was identified as ~~XXXX~~ C. She was removed and passed to the Street Pastors.

At 02:52 one IC1 female was found allegedly drunk in the toilets. She was removed and passed to the Street Pastors.

SAT 3-6-2017

At 01:36 one 1c1 male known as [REDACTED] was intoxicated so was asked to leave. He left the premises. While outside [REDACTED] hit someone in the face. He was arrested and is now barred.

At 01:44 one 1c1 male punched another 1c1 male in the nose while in the toilets. The attacker was removed and barred. The injured male sustained a nose bleed but after continued his evening at the club. No police required.

At 01:54 two 1c1 males were fighting about an 1c1 female in the light bar. Due to the situation all were removed. The female is now barred. No injuries sustained. No police required.

At 02:30 four 1c1 males were fighting with three 1c1 males outside. Ian (Head door) intervened. The four 1c1 males left. The three males then began fighting with four 1c3 males. All parties are now barred. No injuries sustained. No police required.

At 11.44pm an 1ci female was asked to leave for anti social behaviour in the smoking area. No injuries sustained. No police required.

At 23.45 an 1ci male was asked to leave for being intoxicated in the smoking area. No injuries sustained. No police required.

At 00.45 an 1ci female hit a manager in the North bar. The female was restrained and removed from the premises. No charges brought against her. No injuries sustained. No police required.

At 01.10 one 1ci male was removed from the premises for being aggressive on the dance floor. No injuries sustained. No police required.

FRI 9-6-2017

At 00:30 at the V.I.P. area an 1c1 male was asked to leave under suspicion of intoxication. He refused. Doorstaff removed the male. The police arrived and arrested the male. The male is now barred. This is an on going matter

01:00 on the main dancefloor 2 1c1 males were fighting with another 2 1c1 males. Doorstaff intervened. 2 of the males were removed via the North exit. The other 2 males were removed via the front door. No injuries sustained. No police required. This is an on going matter

At 01:30 outside the venue an 1c1 male was refused entry by Head doorman Ian Young. The male became violent to Ian. The police arrived and arrested the male. The male is now barred. This is an on going matter.

32 intox

39 refusals

At 01:35 on the dancefloor an 1c1 male was behaving in an antisocial manner. He was asked to go outside by doorstaff. He refused. He was removed from the premises. Once outside he began to fight with 2 1c1 males. The police were called. Two 1c1 males were arrested for ABH. The original male was barred. The arresting officer was DDS7.

At 02:35 on the dancefloor 3 1c1 males were fighting with another 1c1 male. The lone male sustained an injury to his right eye. First Aid was administered and he was advised to go to A and E. The 3 1c1 males were removed via the North Exit and barred. No police required.

17 intox

29 refusals.

FRI 16-6-2017

At 01:45 on the main dancefloor two 101 males known as
Jo [redacted] W [redacted] and Rob [redacted] C [redacted] were fighting each other.
They both sustained cuts to the head. Both were administered
first aid. They were both asked if they wanted the police
or an ambulance and they both refused. They were both
removed from the premises and bailed for fighting.

1st Intox

25 refusals

SAT 17-6-2017

At 00:45 outside the front door an 101 female who had just been removed from the bar for being intoxicated, attempted to re-enter the bar on several occasions which was refused. She then attacked the two front doorman. After being restrained she left while being verbally abusive. No injuries sustained. No police required.

4 intox 8 refusals.

Staff Record Sheet

Name:

[Redacted]

Address:

[Redacted]

D.O.B:

[Redacted]

Contact No:

[Redacted]

Date started:

15/1/17

Date finished:

Date when shown / refreshed

Please tick when appropriate

I have read and understand the Health and Safety Policy.

15/1

I have been shown what to do in case of a fire.

I have been shown how to clear and handle glass.

I understand the importance of clearing spillages.

I have been shown how to use the glass washers.

I have discussed 'Violence in the work place'.

I have been shown how to use the tills.

I have been shown how to change a barrel

NA

I have been shown what to do when opening

I have been shown what to do when closing

I have been shown how to use the Visa Machine

I have been shown what to do incase of the need of first aid

I have been shown how to change a soft drink box

I have been shown how to maintain the bar

I have been shown how to change on optic

I have been shown how to replace stock

I have been shown what fluids and solutions to use where

I have been shown what to do when the Club is quiet

I understand how to use the drinks books and staff drinks

I know how to serve a drink correctly

I understand about responsible serving of Alcohol

Drug Awareness

Vulnerable people and actions to take

72

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Staff Record Sheet

Name: [REDACTED]

Address: [REDACTED]

D.O.B: [REDACTED]

Contact No: [REDACTED]

Date started: 23/11/16

Date finished: _____

Date when shown / refreshed

23/11 1 _____

Please tick when appropriate

I have read and understand the Health and Safety Policy.

I have been shown what to do in case of a fire.

I have been shown how to clear and handle glass.

I understand the importance of clearing spillages.

I have been shown how to use the glass washers.

I have discussed 'Violence in the work place'.

I have been shown how to use the tills.

I have been shown how to change a barrel

I have been shown what to do when opening

I have been shown what to do when closing

I have been shown how to use the Visa Machine

I have been shown what to do incase of the need of first aid

I have been shown how to change a soft drink box

I have been shown how to maintain the bar

I have been shown how to change on optic

I have been shown how to replace stock

I have been shown what fluids and solutions to use where

I have been shown what to do when the Club is quiet

I understand how to use the drinks books and staff drinks

I know how to serve a drink correctly

I understand about responsible serving of Alcohol

Drug Awareness

Vulnerable people and actions to take

73



Licensing Unit,
Adur and Worthing Councils
Portland House,
Richmond Road,
Worthing,
BN11 1LF

West Sussex Division Neighbourhood Licensing Team

27TH July 2017

**RE: APPLICATION FOR VARIATION OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 FOR
ONE CLUB, CHATSWORTH ROAD BN11 1LY**

Dear Mr Jones,

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds of the licensing objective of the Prevention of Crime and Disorder and the Prevention of Public Nuisance.

The premises, while run by the same management team and premises licence holders, has previously been subject to a premises licence review hearing. As a consequence of the hearing held in 2012, the licensing committee attached a number of conditions to the premises licence.

The premises licence and management team for One Club are the same as for the adjoining premises Molotov.

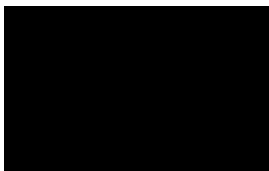
The Molotov premises licence is currently subject to a Review application submitted by Sussex Police on 25th July 2017. The Review is sought due to serious concerns relating to the management of the premises; a continued and repeated breach of the conditions attached to the premises licence, and high intoxication of patrons.

Sussex Police have been engaged with the management team for both premises in relation to failings which have been identified by Sussex Police. As such it is considered that to grant the removal, or emendation, of the current conditions would be to place members of the public at risk.

Therefore Sussex Police invite the licensing committee to refuse this variation application.

Please contact this office on the number below or via email to ws_licensing_wor@sussex.pnn.police.uk should you wish to discuss this representation

Yours sincerely



Chief Inspector Ockwell

District Commander

74
Sussex Police, Neighbourhood Licensing Team
Centenary House, Durrington Lane, Worthing,
West Sussex. BN13 2PQ
Telephone: 01273 404030

158



Licensing Unit,
Adur and Worthing Councils
Portland House,
Richmond Road,
Worthing,
BN11 1LF

West Sussex Division Neighbourhood Licensing Team

27th July 2017

RE: APPLICATION FOR VARIATION TO SPECIFY A NEW DESIGNATED PREMISES SUPERVISOR
FOR THE PREMISES LICENCE AT MOLOTOV CHATSWORTH ROAD WORTHING BN11 1LY TO MR
JAMES LANZ.

NOTICE OF OBJECTION UNDER SECTION 37 (5) OF THE LICENSING ACT 2003

Dear Mr Jones,

Notice is hereby given on behalf of the Chief Officer of Police for Sussex that the exceptional circumstances of this case are such that it is considered that the granting of this application would undermine the crime prevention objective.

Molotov is currently the subject to Premises Licence Review proceedings sought by Sussex Police. The review papers detail a number of failings at the premises, specifically numerous breaches of the premises licence and incidents of high intoxication of patrons of the premises.

Mr Lanz has been employed at Molotov as the manager for a number of years and is present on a daily basis. He has been integral to the premises management, whilst it has been trading under its current and previous names. The management team, headed by Mr Lanz, Mr Wells, the current Designated Premises Supervisor and the Premises Licence Holder; were in place during the Review of the premises licence in November 2012. This resulted in a considerable number of conditions being added to the premises licence by the licensing committee. These conditions have not been adhered to and the licensing objectives have not been promoted.

This close involvement in managing a failing premises gives Sussex Police little confidence in Mr Lanz' ability to ensure the premises is run in accordance with the Licensing Act 2003; adhering to the conditions attached to the premises licence and thereby promoting the licensing objectives in order to keep members of the public safe and prevent crime.

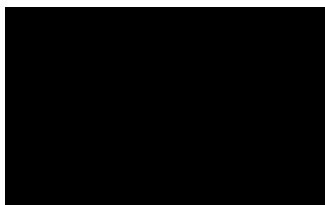
It is contended that the above constitutes exceptional circumstances and therefore Sussex Police invite the committee to refuse the application

75

Sussex Police, Neighbourhood Licensing Team
Centenary House, Durrington Lane, Worthing,
West Sussex. BN13 2PQ
Telephone: 01273 404030

Please contact this office on the number below or via email to ws_licensing_wor@sussex.pnn.police.uk should you wish to discuss this representation.

Yours sincerely



Chief Inspector Ockwell

District Commander

76

Sussex Police, Neighbourhood Licensing Team
Centenary House, Durrington Lane, Worthing,
West Sussex. BN13 2PQ
Telephone: 01273 404030

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Giddings Pauline

(22)

From: James Lanz <liquidworthing@aol.com>
Sent: 15 July 2017 20:54
To: Jones Warren CJ903
Subject: Partial staff training records
Attachments: 2017-07-15 20-25.pdf; ATT00001.txt

Warren,

I've spent hours today searching for these documents, there are still some missing, they may have been lost during the refurb but will continue to search for them and will send over anything I find...

Now that I'm DPS, the records will be kept up to date and secure!

Rotas to follow..

Many thanks
James

77
9/10



12

(CJ Act 1967, s.9; MC Act 1980, ss.5A (3) (a) and 5B; MC Rules 1981, r.70)

URN: [] [] [] []

Statement of: IAN YOUNG

Age if under 18: OVER 18 (if over 18 insert 'over 18') Occupation: COMPANY DIRECTOR

This statement (consisting of ONE 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 which I know to be false or do not believe to be true.

Signature: [Redacted] Date: 14/7/17

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

I am the above named person and live at the address overleaf.

I run a Door Supervisor company called LINKS SECURITY.

One of my clients is the ONE CLUB group in Chatsworth Road, Horsham. I provide Door Supervisors for ONE CLUB and MOLOTOV COCKTAIL BAR.

Previously I provided door supervisors for ONE CLUB on Friday and Saturday nights and for other private or special events. I provided door supervisors for Molotov Cocktail Bar on Tuesday to Saturday nights, from 2200 to close.

This week I have taken additional days from the company to provide door supervisors to Molotov on Sunday and Monday nights from 2200 to close.

On Sunday 19th February 2017 I did not provide any door supervisors to Molotov Cocktail Bar. [Redacted]

Signature: [Redacted] Signature witnessed: [Redacted] 19703

PTO

Standing Andrew CS726

From: [REDACTED] on behalf of Partnerintelligence
 <partnerintelligence@sia.gsi.gov.uk>
Sent: 10 August 2017 08:47
To: Standing Andrew CS726
Subject: RE: [OFFICIAL-SENSITIVE] Data request form

OFFICIAL-SENSITIVE

Good Morning Andrew,

Looking at Ian's records on our system, Ian YOUNG started his application on 18/07/2017 online. He was having problem putting his DL number so he contacted the SIA. The problem was resolved on the same day and he submitted his application on the same day (18/07/2017). The SIA sent him an email on 19/07/2017 notifying him that his application is complete and will be processed. He was granted his licence on 27/07/2017.

Kind regards,

[REDACTED]
 [REDACTED]
 Intelligence and Risk Analyst
 Security Industry Authority

Email: [REDACTED]@sia.gsi.gov.uk

OFFICIAL-SENSITIVE

From: Andrew.Standing@sussex.pnn.police.uk [mailto:Andrew.Standing@sussex.pnn.police.uk]
Sent: Monday, August 07, 2017 8:48 AM
To: Partnerintelligence <partnerintelligence@sia.gsi.gov.uk>
Subject: RE: [OFFICIAL-SENSITIVE] Data request form

Hello [REDACTED]

Many thanks for this.

The lack of the licence was highlighted to the management of the club who stated that they were aware but there had been a technical difficulty with gaining the licence.

Are you able to tell me the date the new licence was applied for?
 Was there any unsuccessful applications in the time Ian Young was unlicensed?
 Were the SIA aware of any such technical difficulty?
 Was it an SIA issue?

Thanks,

Andy

Andy Standing

Sergeant

Licensing Team

West Sussex Division

Centenary House | Durrington Lane | Worthing | BN13 2PQ

Tel: 01273 470 101 or 101 Ext 581261

From: [REDACTED] [mailto:[REDACTED]@sia.gsi.gov.uk] **On Behalf Of** Partnerintelligence

Sent: 03 August 2017 10:50

To: Standing Andrew CS726 <Andrew.Standing@sussex.pnn.police.uk>

Subject: RE: [OFFICIAL-SENSITIVE] Data request form

OFFICIAL-SENSITIVE

Hello Andrew,

Your request for a Statement has been sent to our Statement Team.

Ian YOUNG DOB: [REDACTED] is current licensed. His Frontline Door Supervision licence 1016682205288484 was issued on 27/07/2017 and expires on 26/07/2017.

His previous Frontline Door Supervision licence 0130018917065432 expired on 30/05/2017, so he was unlicensed from 31/05/2017 to 26/07/2017.

Kind regards,

[REDACTED]

[REDACTED]

Intelligence and Risk Analyst
Security Industry Authority

Email: [REDACTED]@sia.gsi.gov.uk

OFFICIAL-SENSITIVE

From: Andrew.Standing@sussex.pnn.police.uk [mailto:Andrew.Standing@sussex.pnn.police.uk]

Sent: Thursday, August 03, 2017 10:20 AM

To: Partnerintelligence <partnerintelligence@sia.gsi.gov.uk>

Subject: RE: [OFFICIAL-SENSITIVE] Data request form

Morning [REDACTED],

I believe his date of birth is [REDACTED]

His current SIA licence number is 1016682205288484.

Thanks,

Andy

Andy Standing

Sergeant

Licensing Team

West Sussex Division

Centenary House | Durrington Lane | Worthing | BN13 2PQ

Tel: 01273 470 101 or 101 Ext 581261

From: [redacted] [mailto:[redacted]@sia.gsi.gov.uk] On Behalf Of Partnerintelligence

Sent: 03 August 2017 10:14

To: Standing Andrew CS726 <Andrew.Standing@sussex.pnn.police.uk>

Subject: FW: [OFFICIAL-SENSITIVE] Data request form

OFFICIAL-SENSITIVE

Good Morning Andrew,

Thank you for the attached disclosure.

Could please provide the date of birth of Ian Young?

Many thanks,

[redacted]

[redacted]

Intelligence and Risk Analyst

Security Industry Authority

Email: [redacted]@sia.gsi.gov.uk

OFFICIAL-SENSITIVE

From: Andrew.Standing@sussex.pnn.police.uk [mailto:Andrew.Standing@sussex.pnn.police.uk]

Sent: Wednesday, August 02, 2017 11:47 AM

To: Partnerintelligence <partnerintelligence@sia.gsi.gov.uk>; Statements <statements@sia.gsi.gov.uk>

Subject: Data request form

Dear SIA,

Please find attached a data request form for an ongoing investigation.

Thanks,

Andy

Andy Standing

Sergeant

Licensing Team

West Sussex Division

Jones Warren CJ903

From: CASTLEGATE SECURITY SOLUTIONS <chris@castlegatesecuritysolutions.co.uk>
Sent: 21 July 2017 18:44
To: Jones Warren CJ903
Subject: CASTLEGATE SECURITY / ONE CLUB / MOLOTOV

For the attention of Warren Jones;

Please be advised that as of today's date, the 21st July 2017, Castlegate Security Solutions Ltd are officially taking on the door security for both the 'One Club' & 'Molotov' ('Liquid Oxygen').

We have carried out the necessary paperwork including the on site 'Risk Assessment' and a new 'Castlegate' folder will be in place at the above venues.

Should you have any queries regarding this matter, please contact Mr Vino Vijayakumar in the first instance.

Contact details for Vino are as follows:

vino@castlegatesecuritysolutions.co.uk

Mobile : 07754 146703

Yours Sincerely

Mr Chris Cooper
Director
Castlegate Security Solutions Ltd
Reg : 10814550



(CJ Act 1967, s.9; MC Act 1980, ss.5A (3) (a) and 5B; MC Rules 1981, r.70)

URN

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Statement of:

Age if under 18: (If over 18 insert 'over 18') Occupation:

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 which I know to be false or do not believe to be true.

Signature: Date: 23/7/2017

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

On 22nd July 2017 me and my ex boyfriend decided to go out after finishing work at at 9pm. We first walked to The Broadwater Pub, where we both had one drink, our other friend text and said he was not going to come out, but I thought it would be ok to just go out with ANEW, but was slightly worried incase he "FLIPPED OUT" We then both walked into town, where we went to five different pubs and bars, we both had approximately seven drinks, three shorts and two shots. I would say we were both "REALLY QUITE DRUNK", I would scale how drunk we both were as eight out of ten. At around approximately 2am we decided to leave, seemed to be getting agitated by the loud music. We began to walk home and when we got outside the Connought car park started to punch the wooden boards at the construction site. There was a group who stopped and spoke to us, two or three males spoke to and a female spoke to me, I said I was fine and the group left and I carried on walking with After about five minutes either grabbed or punched my left arm, I can't be sure which, due to the alcohol but the next thing I remember is being on the floor with pain in my left

Signature: Signature witnessed by:

PTO

Continuation of statement of: .. [REDACTED] ..

arm. I was screaming really loud, and he was also screaming at me. I think he was screaming about the fact I had been talking to another male, but I cannot be 100% sure.

While still on the floor he took my mobile phone out of my hand, I can't remember which. He then walked off towards the 'Jimpies' cafe.

I vaguely remember that he may of shook me before walking off with my phone, but I can't remember how he did this.

I got up and followed behind [REDACTED], shouting for my phone, he repeatedly just said 'no'. I think he took my phone because I was going to call the police. The next thing I saw was [REDACTED] throw my phone across the road towards the 'Fabric Shop' and it landed on the opposite pavement. There was a small amount of damage to my phone before but it is much worse now, with more cracks out of the side and top. At no time did I give him permission to touch or use my phone, nor did he have any lawful reason. I believe the value of the damage to be £60.00. There was a witness who saw [REDACTED] throw my phone and it is the same male who called the police. Aiden walked off heading north and I crossed the road and picked up my phone and spoke to a male who called police.

My injuries consist of my left arm, I have a scrape above the elbow and a bruise on the back of the top of my arm. I have a scrape and bruise on my right knee. I was terrified at the time as I didn't know what he was going to do. I gave Aiden no permission to assault me, he had no lawful reason and it wasn't self defence.

[REDACTED] and I had previously been in a relationship for two and a half years and we had split up two weeks ago. I wanted to stay civil as we work together. Previously, about 1 year

Signature: .. [REDACTED] ..

Signature witnessed by: .. [REDACTED] ..

Continuation of statement of: [REDACTED]

ago he hit me on the arm, but this did not cause any injury and I did not report it. I think he used his right hand, but was an open hand so more of a slap. I gave him no permission to hit me and there was no lawful excuse, and it was not self defence.

I would describe [REDACTED] as white, male, 18, about 5'9", slim and muscular arms, long brown hair - post shoulder length; spotty complexion, scarred arms from work, wearing brand t-shirt black and white, leather jacket, white and black vans, blue jeans.

The incident last between 15 and 25 minutes, at the nearest he was in contact with me, at the longest he was three car lengths away. I could see everything clearly as was under street lights, there were no obstructions between both of us. [REDACTED]

I have been made aware of the UPS scheme and would be willing to make one at another time. I would like someone to record it on my behalf. [REDACTED]

Signature: [REDACTED]

Signature witnessed by: [REDACTED]



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)

URN

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Statement of: Ian David VASEY

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable CV053

This statement (consisting of 2 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 14.08.2017

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

On Saturday the 15th February 2015, I attended the club that was known at the time as One Club and its associated premises, which is presently known as Molotov at 31 CHATSWORTH ROAD, WORTHING, WEST SUSSEX BN11 1LY.

I attended in my role as a Licensing PC, working as part of the West Sussex Neighbourhood Licensing Team, a position at that time that I had held since July 2010.

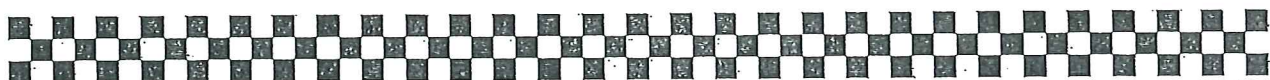
I was presenting a version of a Sussex Police Vulnerability Awareness Training that had been specifically designed to be given to staff working at licensed premises, to include Management, Bar Staff and Door Supervisors.

I had liaised directly with the then bar manager James LANZ and had arranged to provide the training prior to the club opening on the Saturday night to ensure the maximum numbers of staff would see the training.

The aim of the training was to highlight vulnerability in customers and other people who staff may come into contact with during the night time economy. This specifically included levels of intoxication either through drink or drugs and the risks that this poses to individuals.

During the training staff were asked to be able identify signs that people are vulnerable and what appropriate action could be taken to reduce the levels of risk to that individual.

We discussed personal responsibility of all staff to ensure that they reduce the risks whilst they work. We



SUSSEX POLICE

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).

discussed the possible consequences of ignoring vulnerability and that in doing so we increase the risk of that individual coming to harm or being a victim of a serious crime.

The emphasis of the training was to concentrate on the welfare of individuals that staff come into contact with and that they have a responsibility to those individuals to ensure they have a safe night.

Methods of providing support were discussed including, providing water, and establishing who the individual is with. Not just throwing someone out without giving consideration to their levels of intoxication and vulnerability.

The training took just over an hour and took place in the club prior to the club opening, present at the training was the Bar manager James LANZ along with senior members of management and Door Supervision as well as several members of bar staff.

This statement was made at 1130 hours on Monday 14th August 2017 at Parkside, Horsham.



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289

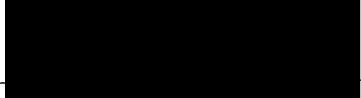
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Statement of: Warren Matthew JONES

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

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

Signature: 

Date: 17th October 2017

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

At approximately 0330 hours on Saturday 2nd September 2017 I was on duty in uniform at One Club, 31 Chatsworth Road, Worthing, BN11 1LY in company with the General Manager, James LANZ. With Mr LANZ's permission, 38 swab samples were taken by myself, from various surfaces around the premises. These swabs are Teflon coated fibreglass strips which pick up microscopic amounts of whatever substance is on a surface, such as controlled substances. The samples obtained were all placed individually into separate, fresh, and unused envelopes. Later that same day the sample traps were tested by myself, in the Ion Track Itemiser machine which is situated in the licensing office at Horsham Police Station. I have received training from the manufacturers of the Ion Track machine which enables me to use the machine to test swabs taken and to interpret the results obtained. I ensured that the machine was working correctly prior to the testing of the swabs. The Itemiser is programmed to detect and identify microscopic amounts of many different types of narcotics and will correctly identify contamination down to nanogram (billionth of a gram) levels. Cocaine is one of the most reactive and easy to detect substances in the Itemiser's library. Responses are reported to the user by a simple and clear computer interface. An 'alarm' strength number gives the intensity of the response. This strength is an indication of the amount of narcotic contamination that was collected on the swab taken. The results of those 38 swabs are listed below, indicating where the sample was obtained, followed by the strength of any Narcotic substance detected:

MALE TOILET 1: COCAINE – 4.92

MALE TOILET DOOR: COCAINE – 4.09

MALE TOILET 2: COCAINE – 3.71

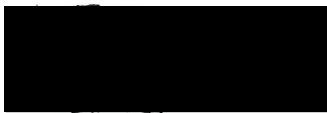
MALE TOILET 2 DOOR: COCAINE – 5.06

MALE TOILET PUBLIC AREA/SINK: COCAINE – 3.25

MALE TOILET ATTENDANTS STOOL: COCAINE – 3.34

 SJ18

FEMALE TOILET 1 NO ALARM
FEMALE TOILET 1 DOOR: COCAINE – 3.23
FEMALE TOILET 2: COCAINE – 1.05
FEMALE TOILET 2 DOOR: NO ALARM
FEMALE TOILET 3: NO ALARM
FEMALE TOILET 3 DOOR: COCAINE – NO ALARM
FEMALE TOILET 4: NO ALARM
FEMALE TOILET 4 DOOR: NO DOOR
FEMALE TOILET 5: DOOR LOCKED
FEMALE TOILET 5 DOOR: DOOR LOCKED
FEMALE TOILET 6: COCAINE – 5.49
FEMALE TOILET 6 DOOR: COCAINE – 2.76
FEMALE TOILET 7: NO ALARM
FEMALE TOILET 7 DOOR: NO ALARM
FEMALE TOILET 8: DOOR LOCKED
FEMALE TOILET 8 DOOR: DOOR LOCKED
FEMALE TOILET PUBLIC AREA: COCAINE – 2.00
BAR BY TOILETS (A): COCAINE – 4.19
FIRE ESCAPE DOOR (B): COCAINE – 2.49; HEROIN – 1.95
OXYGEN MAIN BAR (C): COCAINE – 2.94; HEROIN – 1.30
OXYGEN DJ BOOTH (D): COCAINE – 2.30
BOOTH (E): NO ALARM
SLOPE/BOTTLE BAR (F): NO ALARM
MAIN ROOM DJ BOOTH (G): NO ALARM
BOOTH (H): COCAINE – 1.48
FRUIT MACHINE (RH) (I): COCAINE – 3.56
FRUIT MACHINE (LH) (J): COCAINE – 5.37
MAIN BAR (K): NO ALARM
VIP BOOTH TABLE (L): NO ALARM
VIP BOOTH TABLE (M): NO ALARM
CLOAK ROOM (N): COCAINE – 1.92



RECEPTION (O): COCAINE – 4.17; MDMA – 1.36

Alarms of between 1 and 2 times the alarm threshold can be classed as a 'low' response. It could be attributed to cross contamination of the surface tested, background contamination, or greatly degraded historic contamination. It is not indicative of recent direct contact.

Alarms of between 2 and 3 times the alarm threshold can be classed as a 'medium' response. It could be attributed to cross contamination of the surface tested or recent historic contamination that may have been left a number of days prior to the sample being taken.

Alarms of between 3 and 4 times the alarm threshold would be classed as a 'high' response. This level of response would not be attributed to cross contamination and is indicative of recent and direct contact with measurable quantities of the narcotic identified by the machine.

Readings of 4.00 and above are estimated to relate to microgram amounts of contamination being transferred to the swab. This level of contamination is not generally experienced in any other environment than somewhere that has been in direct contact with a bulk amount of the source narcotic, in this case cocaine. This level is not generally experienced as background contamination or through incidental cross contamination by being in close contact with other contaminated areas or persons.

This statement and the enclosed results cannot be used in any Criminal investigations, and are provided on the understanding that they will only be used in civil proceedings



GE Security Technology Statement

The Itemiser is programmed to detect and identify microscopic amounts of many different types of narcotics. Cocaine is one of the most reactive and easy to detect substances in the Itemiser's library. Responses are reported to the user by a simple and clear computer interface. An "alarm Strength" number gives intensity of the response. This strength is an indication of the amount of narcotic contamination that was collected on the sampling media used, in the case of Itemiser Mk 2, a cotton - paper disk and with the Itemiser 3 a Teflon coated fibreglass strip. These traps are cleaned and packed by GEIT in Boston, USA to ensure they are not contaminated before use. They should also be checked before use on site in a customs or police application.

Samples are taken from areas likely to contain fingerprints from the target subject but not necessarily directly from the person themselves. The machine will correctly identify contamination down to nanogram (billionth of a gram) levels.

Alarms of between 1 and 2 times the alarm threshold can be classed as a "low" response. It could be attributed to cross contamination of the surface tested, background contamination, or greatly degraded historic contamination. It is not indicative of recent direct contact.

Alarms of between 2 and 3 times the alarm threshold can be classed as a "medium" response. It could be attributed to cross contamination of the surface tested or recent historic contamination that may have been left a number of days prior to the sample being taken.

Alarms of between 3 and 4 times the alarm threshold can be classed as a "high" response. This level of response would not be attributed to cross contamination and is indicative of recent and direct contact with measurable quantities of the narcotic identified by the machine.

Readings of 4.00 and above are estimated to relate to microgram amounts of contamination being transferred to the sample media. This level of contamination is not generally experienced in any other environment than somewhere that has been in direct contact with a bulk amount of the source narcotic, i.e. this level is not generally experienced as background contamination or through incidental cross contamination by being in close contact with other contaminated areas or persons.

It should be noted that the presence of any response to drugs using the Itemiser could be used as grounds for furthering an investigation depending on the SOP of the enforcement agency using the device.

A full technical introduction to the Itemiser detection principals follows.

Technology Notes - Trace Detection Technologies

The three most prevalent technologies available for trace detection of narcotics and explosives include Ion Mobility Spectrometry (IMS), Combination Gas Chromatography-Chemiluminescence (GC-CLD), and enhanced IMS, or Ion Trap Mobility Spectrometry (*ITMS*). A fourth combination gas chromatography and mass spectrometry (GC-MS) is also available, but it is used mostly in lab-related equipment.

IMS separates ionized molecular compounds on the basis of their transit times (sometimes called "time of flight" or "drift time") when subjected to an electric field in a tube. This time is then compared to stored transit times of known compounds making it possible to distinguish the target material (explosives or narcotics) from other molecules. This technique is fast and makes a compact device possible. Gaseous samples enter an ionization chamber where an ionization source emits low-energy beta particles resulting in ion formation in the gaseous phase. A gating mechanism allows the ions of the correct polarity to pass through the shutter grid and enter the ion drift region where an applied electric field mobilizes the ions. Less than 1% of the ions created in the ionization chamber actually reach the drift tube as more than 99% of the ions are discharged on the shutter grid. The rate at which these ions traverse the ion drift region is inversely proportional to the size of the ion. This correlation allows for the identification of the analyte of interest.[3]

GC-Chemiluminescence uses quantitative measurements of the optical emission from excited molecules to determine analyte concentration. Although GC-CLD technology has good sensitivity and selectivity, its range of detection is fairly limited. The GC-CLD technology employed in explosive detectors can only detect nitro compounds. Today, with the ever-increasing threat of non-nitro substances such as HMTD and TATP that are outside the detection range of this technology, the practical application of GC-CLD as an option for security outside the structured controls of a laboratory is limited. In addition, there are practical concerns about the expense of maintenance, instrument complexity, high consumable gas costs, and containment of potentially harmful materials, such as ozone, from the operator.

ITMS, like IMS, separates ionized vapors and then measures the mobility of the ions in an electric field. In the typical implementation of ITMS, the gaseous sample passes through a semi-permeable membrane prior to ionization. Also like IMS, the gaseous samples then enter an ionization chamber where an ionization source emits low-energy beta particles resulting in ion formation in the gaseous phase. Unlike IMS, however, the ionization in ITMS is allowed to reach equilibrium in a field free region and then pulsed into the drift tube where an electric field accelerates the ions to the collector. Note that in the ITMS detector, the shutter grid does not exist, resulting in a much greater portion of the ions entering the drift tube.

Performance Requirements of Trace Detection

When comparing these technologies, there are important performance requirements that we can use to evaluate their application for checkpoint, facility, or event security. The requirements include sensitivity, selectivity, and range of compounds detected, logistics, and reliability/maintenance:

Sensitivity (detection effectiveness) is the degree of response of an instrument to an introduced concentration. In other words, how much of an explosive or narcotic material is required to detect it. In real world application of these devices, we must realize that there is a time limit to complete the analysis in order to process sample targets through the unit, typically in the 3- to 10-second range. Assuming this is a realistic range, GC-CLD technology will have a loss in selectivity, as the GC column will not provide enough separation of the nitro compounds over this analysis time.

Traditional IMS loses sensitivity with the loss of ions to the shutter grid with its non-equilibrium ionization. ITMS enhances the sensitivity through many methods.

Selectivity is the ability to distinguish between compounds. Typically when sampling for explosives or narcotics, other materials are present and the threat signals need to be selected by the technology. All three technologies are able to accurately select the threat compound if it is present above the sensitivity level of that detector, although there are significant operational differences.

Range of compounds detected is quite simply the spectrum of material that the device can detect simultaneously. GC-CLD concentrates on distinguishing between nitro compounds, but detects *only* nitro substances. IMS detects *either* negative or positive ions, but not both at the same time. ITMS simultaneously detects negative and positive ions, including both nitro and non-nitro target substances.

Logistics incorporate practical application issues present with each technology. This could include regulatory issues for ozone, radioactive sources, bottled gases, etc. IMS and ITMS contain radioactive sources. GCCLD requires handling of sensitive gases such as hydrogen, ozone, or helium.

Finally, recent advancements in ITMS technology incorporate engineered high-speed switching systems that allow for millisecond alternating from positive to negative ion mode, thereby allowing for simultaneous detection and analysis of target positive and negative ions. Most narcotics have a positive ion affinity, while most explosives have a negative ion affinity; however, there are some important exceptions. TATP, for example, is an explosive that is seen as a positive affinity molecule, which would not be detected in a traditional IMS in single-mode operation for explosives. Detection limits for real world samples in ITMS in vapor sampling mode are in the picogram range.

Summary

As we look to implement a total solution for security, trace detection technologies become an integral component of that solution. Complementing x-ray scanners and metal detection, trace detection closes security loopholes by detecting microscopic particles that remain on clothing, luggage, ID cards, and more after explosives or narcotics are handled. Because it can sniff out vapors that build up in confined spaces, trace detection is especially effective for finding contraband hidden in compartments, suitcases, and lockers. ITMS technology offers the advantage of detecting a wider range of targeted substances in a more flexible detector design. Therefore it is ideal for practical applications such as checkpoint security, and screening vehicles, personnel, shipside, sea craft, packages, luggage, and cargo.

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Holly Yandall

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Mr S Jones
Senior Licensing Officer
Licensing Unit
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03rd October 2017

Dear Mr Jones,

Re: Application for Review of Premises Licence: One Club, Unit 1 Chatsworth house, 31 Chatsworth Road, Worthing, BN11 1LY.

West Sussex County Council (WSCC) Public Health Department wishes to support the application by Sussex Police to review the licence of One Club, Unit 1 Chatsworth House, 31 Chatsworth Road, Worthing, BN11 1LY

WSCC Public Health concurs that the licensing objectives of The Prevention of Crime and Disorder, Public Safety and The Protection of Children from Harm have been seriously undermined.

Serious questions have been raised over whether the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPH) are fit and proper people to be trusted with the responsibility of selling alcohol.

Public Health made a representation in respect of the review of the premises licence, in 2012 (when the venue was trading as Liquid Lounge), and attended the licensing review hearing in 2013, where a number of additional conditions were applied to the licence by the licensing committee. These conditions were placed on the licence to ensure that the Licensing Objectives were being promoted and customers kept safe.

The same individuals (PLH, DPH and general manager) are still in charge and in control of the premises, and it is clear from the new evidence provided by Sussex Police that lessons have not been learned. This evidence demonstrates a consistent failure to comply with the conditions that the committee placed on the licence and that the PLH and DPH have completely and consistently failed in discharging a duty of care to their patrons and promoting the licensing objectives.

Based on the information available and after much consideration, Public Health fully supports the request by Sussex Police for the Licensing Committee to revoke the Premises Licence, and feels that this course of action is both reasonable and necessary.

Supporting information

It seems clear that the PLH and DPH have failed to actively promote the licensing objectives in relation to the Prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm.

The evidence provided by Sussex Police highlights numerous examples of binge drinking and high levels of intoxication at One Club. This was also the case in the review of Liquid Lounge in 2012, demonstrating that lessons have not been learned and that standards have remained low.

Binge drinkers are at increasing risk of physical and mental ill-health and of being a victim of crime, contracting a sexually transmitted disease and, for women, being more likely to have an unplanned pregnancy. Binge drinking also poses a risk to others, for example aggression towards family members, general disorder, accidents and assaults.

15th April 2017

The events of 15th April 2017, in which an underage girl was admitted to One Club, and is believed to have purchased and consumed a drug (believed to be MDMA) demonstrates that the Licensing Objectives of the Prevention of Crime and Disorder and the Protection of Children from Harm are not being promoted.

MDMA is the chemical name for ecstasy. It stands for Methylene-Dioxy-Meth-Amphetamine. Ecstasy is usually sold on the street as tablets, although it is increasingly common to see it sold in powder form and called by its chemical name, MDMA, or 'crystal'.

Ecstasy pills are usually swallowed, although they are sometimes crushed up and smoked or snorted. MDMA powder is 'dabbed' onto the gums or snorted.

Ecstasy is rarely pure and can be cut with a wide range of other substances. Sometimes there is no MDMA in the 'ecstasy' at all. Sometimes, it contains other drugs, like PMA, which can be fatal. Regardless of what it looks like and what it is called, people cannot be sure what's in a pill or a powder and can't predict how they will react.

Short-term risks of ecstasy/MDMA can include feeling anxious or getting panic attacks, and developing confused episodes, paranoia or even psychosis. Physical side effects can include dilated pupils, a tingling feeling, tightening of the jaw muscles, raised body temperature and the heart beating faster.

There have been many deaths involving Ecstasy. Between 1996 and 2014 in England & Wales there were 670 deaths in which ecstasy/MDMA was recorded on the death certificate.

Failure to promote the licensing objectives

The availability of illicit drugs within One Club indicates that the Prevention of Crime and Disorder is not being promoted.

The fact that an underage girl was permitted entry to One Club indicates that the Protection of Children from harm is not being promoted.

The fact that no ambulance was called when the underage girl experienced a seizure, and the allegation that SIA doorstaff removed her by her hands and feet and placed her on the floor outside the premises, indicates that Public Safety is not being promoted.

In order to promote the licensing objective of Public Safety, premises staff should be proactively watching for signs of intoxication and vulnerability. Any customers seen to be intoxicated, vulnerable or unwell should be gently approached and assisted to a dedicated 'safe space' with their condition monitored and water provided. An ambulance should always be called for medical emergencies

In conclusion, WSCC Public Health Department support the assertion by Sussex Police that the licensing objectives of The Prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm are not being promoted by the management of One Club.

The management of the premises (including the PLH, the DPH and the general manager) has remained the same and it is clear that the lessons of the review in 2012 have not been learned.

Public Health therefore concurs with the view of Sussex Police that revoking the Premises Licence would be a reasonable and necessary course of action in this instance.

Yours sincerely,

A black rectangular box redacting the signature of Holly Yandall.

Holly Yandall
Public Health Lead for Alcohol and Drugs

On behalf of the Director of Public Health