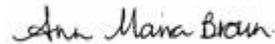


Crawley Borough Council

Licensing Sub Committee

Agenda for the **Licensing Sub Committee** which will be held in
Committee Room B - Town Hall, on 8 October 2019 at 10.30 am

Nightline Telephone No. 07881 500 227



Head of Legal, Democracy and HR

Membership:
Councillors

J Hart, K L Jaggard and M G Jones J Millar-Smith (sub)

From:
Councillors

M L Ayling, T G Belben, B J Burgess, M Flack, F Guidera,
J Hart, K L Jaggard, M G Jones, K McCarthy, J Millar-Smith,
C J Mullins, D Peck, R Sharma, B A Smith and K Sudan

Please contact Democratic Services if you have any queries regarding this agenda.
democratic.services@crawley.gov.uk
Published 30 September 2019

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Town Hall
The Boulevard
Crawley
West Sussex
RH10 1UZ

The order of business may change at the Chair's discretion

Part A Business (Open to the Public)

	Pages
1. Appointment of Chair	
2. Apologies for Absence	
3. Members' Disclosures of Interest	
In accordance with the Council's Code of Conduct, members of the Council are reminded that it is a requirement to declare interests where appropriate.	
4. Application to Review the Premises Licence - Deja Vu Bar, 26-32 High Street, Crawley, (Northgate & West Green Ward)	3 - 202
To consider report HCS/15 of the Head of Community Services.	
Councillors are asked to bring the Licensing Handbook to the meeting, which has been circulated with the agenda.	

This information is available in different formats and languages. If you or someone you know would like help with understanding this document please contact the Democratic Services Team on 01293 438549 or email: democratic.services@crawley.gov.uk

Crawley Borough Council

Report to Licensing Sub Committee 17 September 2019

APPLICATION FOR A REVIEW OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 IN RESPECT OF

DÉJÀ VU BAR

26-32 High Street, Crawley, RH10 1BW
(Northgate & West Green Ward)

Report of the Head of Community Services HCS/15

1.	Purpose	Reference Documents
1.1	On 24th July 2019, Sussex Police as a 'Responsible Authority' submitted an application to Crawley Borough Council ("the Council") as the Licensing Authority for the Borough of Crawley for a REVIEW of the premises licence in respect of DÉJÀ VU Bar , 26-32 High Street, Crawley, RH10 1BW under the Licensing Act 2003 ("the Act"). This was received by the Licensing Authority on 25th July 2019.	APPENDIX A Application to Review Premises Licence
1.2	Sussex Police has requested a review on the grounds that the licence holder is not promoting the Licensing Objectives contained within the Act, in particular: (I) Prevention of Crime and Disorder; (II) Public Safety; (III) Protection of children from harm.	
1.3	This report sets out the review application and what the Act requires the Council to do in respect of it. The report also sets out other documentation and matters which ought to be considered before a decision is made.	

2.	Decision to be made	
2.1	<p>The Sub-Committee must, having had regard to the application and any relevant representations, take such steps, if any, it considers necessary for the promotion of the Licensing Objectives. The steps are:</p> <ul style="list-style-type: none"> I. to modify the conditions of the licence.* II. to exclude a licensable activity from the scope of the premises licence. III. to remove the Designated Premises Supervisor (DPS.) IV. to suspend the licence for a period not exceeding three months. V. to revoke the licence. <p>*For this purpose the conditions of the licence are modified if any of them are altered or omitted or any new condition is added</p>	<p>Section 52(4) of the Licensing Act 2003 (“The Act”)</p> <p>APPENDIX A Application to Review Premises Licence</p> <p>APPENDIX C Relevant representation submitted by Premises Licence Holder (To Follow)</p> <p>APPENDIX D Relevant representation submitted by WSCC Public Health Department</p> <p>APPENDIX E Relevant representation submitted by West Sussex Fire and Rescue Service</p>
3.	Additional matters to be considered	
3.1	The Licensing Sub Committee must consider each application on its merits, in accordance with the provisions within the Act.	
3.2	The Act requires licensing authorities to carry out their functions with a view to promoting the 4 Licensing Objectives. The licensing objectives are detailed below in section 4.2.	Section 4(1) of the Act
3.3	<p>In reaching its decision, the Sub Committee must also have regard to:</p> <ul style="list-style-type: none"> - The Section 182 Guidance issued under the Licensing Act 2003, April 2018; and <p>The Council’s Statement of Licensing Policy 2019 – 2024. A full version of the Statement of Policy can be downloaded here: CBC Licensing Policy 2019-2024</p>	Section 4(2) of the Act
3.4	The failure to promote the Licensing Objectives under the Act, and the potential crime and disorder impact are relevant factors in the consideration of all applications. This is made clear within the Act and associated Section 182 Guidance, April 2018, issued in conjunction with the Act. A full copy of Section 182 Guidance (April 2018) is included as part of the Members Reference Pack, but can also be downloaded: Section 182 Guidance (April 2018) issued under the Licensing Act 2003.	Section 182 Guidance issued in conjunction with the Licensing Act 2003 (April 2018)

3.5	In considering any representations or notice made by a party, the Sub Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.	Regulation 18 of the Licensing Act 2003 (Hearings) Regulations 2005
3.6	The Licensing Sub Committee must give reasons for its decision.	Section 52(10) of the Act
4.	Background	
4.1	The Council is the relevant Licensing Authority in relation to any premises within the Borough of Crawley which is to be used for one or more licensable/qualifying activities in accordance with the Act.	
4.2	At any stage, following the grant of a premises licence, a Responsible Authority or any other person may ask the Council as Licensing Authority to Review a Premises Licence because of matters arising at a premises in connection with one or more of the Licensing Objectives, which are: <ul style="list-style-type: none"> - Prevention of crime and disorder, - Public safety, - Prevention of public nuisance and - Protection of children from harm. 	Sections 4 and 51 of the Act
4.3	Chapter 11 (Pages 89 – 94) of the Section 182 Guidance issued in conjunction with the Licensing Act 2003 deals with the review of a Premises Licence.	Section 182 Guidance issued in conjunction with the Licensing Act 2003 (April 2018)
4.4	An extract from the Statutory Guidance issued under Section 182 of the Licensing Act 2003, dated April 2018 states: <p><i>“11.1 The proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence.</i></p> <p><i>11.2 At any stage following the grant of a premises licence or club premises certificate, a Responsible Authority or any other person, may ask the Licensing Authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four Licensing Objectives.”</i></p>	Section 182 Guidance issued in conjunction with the Licensing Act 2003 (April 2018)

5.	Premises & Licence Holder Information	
5.1.	Déjà Vu Bar 26-32 High Street, Crawley, RH10 1BW is a licensed premises subject to the stated terms and conditions under the Act. The Premises Licence holder (PLH) is listed as DÉJÀ VU CLUBS LTD. Company Number 10219779. The company became the PLH upon transfer from the former holder on 20th July 2016. A copy of the current Premises Licence and a layout plan are included at Appendix B.	APPENDIX B Copy of current Premises Licence issued under Licensing Act 2003 (includes layout plan.)
5.2	The Designated Premises Supervisor (DPS) is listed as Mr Noel Antony Samaroo.	
6.	Review Process & Application	
6.1	When submitting an application to Review a premises licence, the applicant, in this case Sussex Police, are required to send copies of the application to all Responsible Authorities as defined by the Act.	Regulation 27A of the Licensing Act 2003 Premises licences and club premises certificates) Regulations 2005
6.2	In addition, the Licensing Authority is required to place a Public Notice both on the premises and at the Council Offices in a place where it could be clearly seen by the public. This was completed, and the Notice detailing the Review application remained on display for 28 consecutive days to allow for any further representations to be made.	Regulation 38 of the Licensing Act 2003 Premises licences and club premises certificates) Regulations 2005
6.3	The representation period concluded at midnight on 22nd August 2019. In addition to the representations made by Sussex Police as part of the application to Review the Premises Licence, the following were received: <ul style="list-style-type: none"> - No response to the application to Review the Premises Licence, have been received from Mr Noel Samaroo, the Designated Premises Supervisor and on behalf of Déjà Vu Clubs Limited as the Premises Licence Holder (PLH). This is to follow and is marked as Appendix C - On 15th August 2019, Lead Officer, Holly Yandall, acting as the Spokesperson for West Sussex County Councils (WSCC) Public Health Department as a Responsible Authority lodged a representation to the application to review the premises licence. This is included at Appendix D 	APPENDIX A Application to Review Premises Licence. APPENDIX C Representations from Premises Licence Holder (PLH) Appendix D Representation from WSCC Public Health APPENDIX E

	<p>On 6th August 2019, Kaye Adams of West Sussex Fire and Rescue Service submitted a representation to the application to review the premises licence. This is included at Appendix E</p> <p>- Jean McPhearson on behalf of the Planning Authority acknowledged the application to review the Premises Licence but makes no planning comments</p>	<p>Representation from West Sussex Fire and Rescue Service</p> <p>APPENDIX F No comments from Planning Authority.</p>
7.	Details of Sussex Police’s Review Application	
7.1	<p>Within their application , Sussex Police state that they</p> <p>“...have considered the failings encountered at this premises and of the shortcomings of Mr Noel Samaroo as the DPS and PLH of Déjà Vu despite repeated interventions by Sussex Police...”</p> <p>“Sussex Police therefore contend that that a number of further measures are necessary to ensure that the licensed premises can be run safely and to the benefit rather than the detriment of the local community.”</p>	APPENDIX A Application to Review Premises Licence
7.2	As part of its application, Sussex Police submitted CCTV recordings as evidence. The footage has been made available to all relevant parties, including the Sub Committee, in advance of the Hearing. It is anticipated that Mr Samaroo on behalf of the PLH will submit footage but has not done so at the time of writing this report. This will follow.	
7.3	The measures Sussex Police contend in its application are necessary are detailed below together with Sussex Police’s reasons.	
7.4	<p>1 A new Designated Premises Supervisor shall be appointed whose day to day control of the premises shall focus on ensuring the premises is properly supervised during the hours of the Night Time Economy.</p> <p><i>Reason: Sussex Police consider this necessary to ensure that a strong personal licence holder is able to take control and run the premises in accordance with the licence and the Licensing Act 2003 and is working at the premises for the opening hours during Night Time Economy, as far as is practicable.</i></p> <p>2 The DPS or a Personal Licence Holder will be on the premises, in a working capacity, each day until all members of the public have left the premises and its curtilage.</p> <p><i>Reason: Sussex police consider this appropriate to reduce the levels of drunkenness at the premises and support staff in providing a duty of care to patrons. This will also assist to</i></p>	

	<p><i>promote the licensing objectives and adherence to the licence condition</i></p> <p>3 A single fully functioning CCTV system shall be installed capable of providing playable copies of footage, in accordance with the Home Office guidance. The DPS or duty manager (personal licence holder) shall be capable of providing copies of footage upon request.</p> <p>Reason: <i>To ensure all request for CCTV are swiftly & efficiently provided.</i></p> <p>4 The DPS or duty manager shall be on site at all times.</p> <p>Reason: <i>To ensure all request for CCTV are swiftly & efficiently provided.</i></p> <p>5 The SIA door supervisors for this premises must be employed through an external SIA door company* (SIA – Security Industry Authority Registered.)</p> <p>Reason: <i>To ensure all appropriate and up to date training is managed and that SIA door staff are supervised by an independent dedicated SIA registered company.</i></p> <p>6 All SIA door staff shall utilise functioning body worn video cameras at all times when they are on duty.</p> <p>Reason: <i>To ensure all ejections refusals & interactions are properly monitored & recorded.</i></p> <p>7 The premises licence holder shall implement a Duty of Care policy which shall be included in staff training for all members of bar staff and SIA door staff.</p> <p>Reason: <i>Sussex police consider this appropriate to reduce the levels of drunkenness at the premises and to support staff in providing a duty of care to patrons.</i></p> <p>8 Signage stating that the premises has a zero tolerance towards drugs.</p> <p>Reason: <i>To promote the prevention of Crime & Disorder in relation to illicit drug.</i></p> <p>9 A drugs policy shall be included in staff training for all members of bar staff (and SIA door staff).</p> <p>Reason: <i>To promote the prevention of Crime & Disorder in relation to illicit drugs & to ensure seizure procedure is adhered to.</i></p> <p>10 The premises shall cease licensable activity at 01:00 hours.</p> <p>Reason: <i>Sussex Police consider this is necessary to prevent the repeated breaches of the conditions currently attached</i></p>	
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	<p><i>premises licence pertaining to 'no entry to the premises after 01:00 hours designed to reduce levels of intoxication.</i></p> <p>11 No children shall be admitted to the premises at any time. Reason: <i>To protect children from harm.</i></p> <p>12 Suspension of the licensable activities at the premises, for a period of not less than eight weeks. Reason: <i>Sussex police consider a suspension of this length to be appropriate; allowing the premises to benefit from a 'reset' and the PLH sufficient time to achieve the following:</i></p> <ul style="list-style-type: none"> • <i>To instate a new DPS.</i> • <i>To install a new functioning CCTV system.</i> • <i>To appoint a new independent SIA door company.</i> • <i>To ensure sufficient BWV cameras are available for all SIA door supervisors on duty.</i> • <i>To ensure that the new DPS and all the staff (including any new staff), involved in licensable activity are fully trained (retrained) and conversant with the conditions attached to the premises licence. (including any new conditions should they be attached by the licensing committee).(* For the avoidance of doubt, reference to Licensing Committee should read Licensing Sub Committee)</i> • <i>To give the new DPS time to familiarise themselves with the premises, with the concerns held by Sussex Police and to review current management practices.</i> • <i>To allow the PLH time to ensure all policy documents are up to date and fit for purpose.</i> • <i>To ensure that the new SIA door company are aware of the recent drugs readings and to produce an agreed approach to managing these.</i> • <i>Ensure all relevant permissions are in place.</i> 	
7.5	<p>Sussex Police also state:</p> <p><i>"This will also demonstrate that the Local Authority will not tolerate this level of mismanagement. The period of suspension will send a clear message to patrons that management of the premises has changed and that the behaviour previously allowed will no longer be tolerated."</i></p>	

7.6	On various dates since the application to review the Premises Licence, Sussex Police submitted additional bundles of evidence and CCTV footage to support the application to review the premises licence. They also make reference to typographical errors. This evidence is included at Appendix G - K.	Appendix G – K Additional evidence bundle from Sussex Police
7.7	It is worth noting in Appendix J, that Sussex Police are now seeking a revocation of the premises licence on the grounds specified.	APPENDIX J Sussex Police evidence now seeks a revocation of the Premises Licence
8.	Representations – Premises Licence Holder - Application to Further Adjourn - Evidence in response to the review to follow	
8.1	At the time of writing this report Crawley Borough Council as the Licensing Authority are awaiting a bundle of evidence from Noel Samaroo, Designated Premises Supervisor, also acting on behalf of the Premises Licence Holder, DÉJÀ VU CLUBS LTD, in response to the application to review the Premises Licence This will follow as Appendix C.	Appendix C To follow Evidence produced by DPS/ PLH in response to the Review Application
8.2	On 5 th September 2019, Mr Samaroo made an application to adjourn the hearing in respect of the Review from the 17 th September 2019. The grounds for seeking an adjournment were: “We would formally and respectfully request this adjustment on the grounds that we are awaiting FOI requests from West Sussex Ambulance Service and Sussex Police In light of the representation received from the health Authority we feel that our case is highly prejudiced without this information.” APPENDIX L	APPENDIX L Application to adjourn 8 th October 2019 Review Hearing
8.3	On 9 th September 2019, Notice was given to all interested parties that under Regulation 11(2) of the Licensing Act 2003 (Hearings) Regulations 2005 (“the Regulations”).to extend the period of time within which the hearing to consider the representations of Sussex Police, Public Health Authority and West Sussex Fire and Rescue Service must be held	
8.4	The details of the decision and the reasons to allow the adjournment it are set out below. “1) On 5th September 2019, you advised the Council that “We are awaiting the outcome of Freedom of Information requests from West Sussex Ambulance Service and Sussex Police. This information is, sought In light of the representation received from the health Authority we feel	

	<p>that our case is highly prejudiced without this information.”</p> <p>2) The Council believes that it is in the public interest to provide you with a further opportunity to present relevant information to the Licensing Sub Committee and to attend the hearing.</p> <p>Under the Regulations, the time limit for when a hearing relating to an application to vary a licence must be heard is 20 working days following the last day of the period within which representations can be made.</p> <p>The Council has decided to extend the period within which the hearing must be heard from 20 workings days to 40 working days.”</p>	
8.5	<p>On 16th September 2019, all interested parties were advised of the new hearing date of 8th October 2019 at 1030 hours. Mr Samaroo confirmed his attendance, but in an email dated 19th September 2019, expressed concern regarding the apparent shortness of time and included correspondence between himself, Sussex Police and Sussex Ambulance Service These e mail attachments could not be opened by the Licensing Authority. Mr Samaroo was advised of this by Ms Plympton, but nothing further has been recieved. The email is included at Appendix L</p>	<p>APPENDIX L 19th September 2019 Email from Mr Samaroo regarding adjournment and submissions</p>
8.6	<p>There has been ongoing communication between Ms Plympton, Mr Samaroo and Sussex Police regarding the hearing on 8th October 2019, the submission of evidence and to establish the progress of information sought by Mr Samaroo under the Freedom of Information request.</p>	
8.7	<p>On 24th September 2019, Ms Plympton contacted Mrs Giddings, Police Licensing Officer to ascertain whether the Freedom of Information request submitted by Mr Samaroo had been dealt with.</p>	
8.8	<p>Mrs Giddings confirmed that the original Freedom of Information request had been submitted on 1st August 2019, but clarification was sought regarding what Mr Samaroo required. The Freedom of Information request was formally logged with Sussex Police on 7th August 2019, and a final response to Mr Samaroo was sent on 20th September 2019.</p>	
8.9	<p>On Sunday 29th September, Mr Samaroo e mailed Ms Plympton seeking a further adjournment to the hearing. This is included as Appendix M.</p>	<p>APPENDIX M 30th September 2019 Mr Samaroo request for adjournment to review hearing on 8th October 2019</p>

8.9	On Monday 30 th September 2019, Ms Plympton emailed Mr Samaroo in response to his e mail seeking an adjournment. This is included at Appendix N	APPENDIX N Licensing Authority response to application to adjourn by Mr Samaroo
8.10	All interested parties, namely the Public Health Body, West Sussex Fire and Rescue Service and Sussex Police were advised of Mr Samaroos application to seek a further adjournment to the hearing. A further hearing date of 18 th September 2019 was suggested	
8.11	Their views on the proposed adjournment and potential new hearing date were sought as they had made a representation as part of the Review process. However, it was made clear that the matter would be referred, according to the Councils Constitution, to the relevant person/body within the Council for consideration.	
8.12	Mr Samaroo indicated that he was available on 18 th September 2019. Ms Yandall, representing Public Health indicated verbally that she would make herself available to appear at any hearing	
8.13	At the time of writing this report, no response has been received from West Sussex Fire and Rescue Service.	
8.14	Mr David Bateup, Police Licensing Officer for Sussex Police made representations against any adjournment to the hearing to Review the Premises Licence. This is included at Appendix O	APPENDIX O 30 th September 2019 Email from Sussex Police against adjournment
8.15	All representations regarding a further adjournment were duly considered in accordance with the Councils Constitution and a decision taken to refer the matter back to the Licensing Sub Committee for consideration at the hearing on 8 th October 2019. A copy of this decision, and details relating to the hearing on 8 th October 2019 have been circulated to all interested parties. Appendix P.	APPENDIX P 30 th September 2019 Email to all interested parties to advise case referred to Licensing Sub Committee on 8 th October
8.16	At the time of writing this report, no further evidence in relation to the application to Review the Premises Licence has been received from Mr Samaroo. It is referred to in this report as Appendix C and is anticipated that evidence will be received on 1 st October 2019. It will be sent as a supplementary agenda item.	APPENDIX C To follow Evidence from Mr Samaroo in response to review application
9.	Representations – West Sussex County Council Public Health Department	
9.1	As the nominated Responsible Authority for Public Health, they state that they wish “to support the application by Sussex Police to review the licence of Déjà Vu Bar, 26-32 High Street, Crawley, RH10 1BW.” They also stated that:	Appendix D Relevant representation submitted by WSCC Public Health Department

	<p>“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 undermined.”</p> <p>A full copy of their submission is included at Appendix D.</p>	
10	Policy Considerations	
10.1	<p>Section 5 of the Licensing Act 2003 requires a Licensing Authority to prepare and publish a Statement of Licensing Policy at least every five years. The current Statement of Policy is effective 2019 - 2024. It states:</p> <p><i>“The aim of the Policy is to promote the licensing objectives set out in the Act whilst securing the safety and amenity of residential communities and facilitating a sustainable entertainment and cultural industry....”</i></p> <p><i>“The Council recognizes both the needs of residents for a safe and healthy environment in which to live and work and the importance of safe and well run premises providing entertainment to the local economy and vibrancy of the Borough.”</i></p>	Crawley Borough Council’s Statement of Licensing Policy 2019 -2024
10.2	<p>The Council’s Statement of Licensing Policy 2019 – 2024 makes particular reference to the review of a premises licence under Chapter 7 entitled “ENSURING EFFECTIVE CONTROL OF LICENSED PREMISES” (Paragraphs 7.1 – 7.8, Pages 27-28).</p>	Crawley Borough Council’s Statement of Licensing Policy 2019 -2024
11.	Implications	
11.1	<p>There are no extra staffing or financial implications to the Council, save for those in respect of possible appeal(s) against any decision taken.</p>	
11.2	<p>The Council is required to consider the impact any decision may have on an individual’s Human Rights.</p>	
11.3	<p>The Council is required to consider the impact any decision may have on crime and disorder in the area (Section 17, Crime and Disorder Act, 1998) which states as follows:</p> <p>Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent:</p>	

	<p>(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and</p> <p>(b) the misuse of drugs, alcohol and other substances in its area; and re-offending in its area</p>	
12	Background Papers	
	<p>(a) Section 182 Guidance (April 2018) issued under the Licensing Act 2003.</p> <p>(b) Crawley Borough Councils Statement of Licensing Policy 2019 – 2024.</p> <p>(c) Licensing Act 2003</p>	

Contact Officer: Karen Plympton
Job Role: Team Leader – Health, Safety and Licensing
01293 438023
karen.plympton@crawley.gov.uk



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, <i>(insert name of applicant)</i>	A/Chief Inspector Starns for and on behalf of the Chief Constable of Sussex Police
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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

Déjà Vu Bar

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

26-32 High Street

Post Town

Crawley

Post code

RH10 1BW

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

Déjà Vu Clubs Ltd,
[REDACTED]

Number of premises licence or club premises certificate (if known) 16/001916/LAPRE
--

Part 2 – Applicant details

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)	X
--	----------

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: C/o Licensing Office Sussex Police West Sussex Division 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)	
<p>Sussex Police contend that the licensing objectives of</p> <ul style="list-style-type: none"> i) The prevention of crime & disorder ii) Public safety iii) The protection of children from harm <p>have been undermined by the inability of the Designated Premises Supervisor (DPS) Mr Noel Samaroo, to ensure the licenced premises is run in accordance with the conditions attached to the premises licence and to meet his obligations under the Licēnsing Act 2003.</p> <p>Mr Samaroo is not only the DPS but the sole director and secretary of Dējà Vu Clubs Limited. This company holds the premises licence for Dējà Vu. Mr Samaroo is referred to herein as the premises licence holder (PLH)</p>	

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

Déjà vu is a small late night bar, licensed to provide live music, recorded music, the performance of dance, late night refreshment and the supply of alcohol.

Its standard opening times are between,

08:00 ~ 02:00 hours Monday to Wednesday

08:00 ~ 03:00 hours Thursday to Saturday

10:00 ~ 00:00 hours Sunday.

Located at the bottom of the High Street in a commercial part of Crawley, the premises has a restricted area for smoking and for the consumption of alcohol, located adjacent to the front of the building on the pavement. There is a condition restricting its use to a maximum of 15 customers until 01:00 hours when it closes.

The premises has a dance floor and one bar.

28th September 2018 01:25 hours

At approximately 01:25 hours PC Warren Jones of the Prevention Licensing Team, was on duty in Crawley High Street adjacent to Déjà Vu. He observed the premises for around 10 minutes, during which time, the front doors were open for significant amounts of time; longer than might reasonably be considered necessary to allow access and egress to the premises. The noise escape was significant.

This is a breach of the licence which states at condition 16 of Annex 2 :

16. All forms of entertainment shall be set at a background level, namely 70 dB LAeq, 15 mins, whilst windows and doors are open. When music is played above this level, windows and doors shall be kept shut at all times, save for access and egress.

During this time a male, who was unsteady on his feet, was seen to leave the immediate area by the premises. On returning he was talking on his 'phone when was approached by two other males from the club. It was clear to PC Jones that an altercation was about to take place and he intervened, separating the males. The two males who had come over from the premises, walked back towards it, and were greeted by Mr. Slawomir Piatek, the head door supervisor (known as Slav). Slav was dressed all in black, his usual attire for door supervision. He was heard to speak to the males in their native language, and they walked back towards the club. PC Jones followed them and noted that they were allowed unrestricted re-entry to the premises despite it being after 0100hrs.

This is contrary to condition 9 of Annex 2 of the premises licence, which states:

9. No customers are permitted entry or re-entry to the premises after 01.00 save for smokers using the designated smoking area

The police officer pointed this out to Slav, who then informed him that it was his night off. Slav was wearing a radio clipped to his belt. Later Slav described in detail how he had ejected people that night. It was noted that he was not displaying an SIA licence. PC Jones further noted that there were 22 people in the smoking area, and that drinks were being consumed. The entire pavement was being used and the barriers delineating the area, blocking any access for pedestrians.

This breaches both condition 17 and condition 22 of the premises licence which states at Annex 2 :

17. The Designated Area shall be at the front of the premises, adjacent to the entrance. This shall be clearly defined by way of substantial barriers and shall hold a maximum of 15 people at any one time. No entertainment of any sort will be permitted in the Designated Area.

22. Save for the Designated Smoking Area, the external area shall be closed to patrons from 0100 until 0800 hours.

The door supervisors were then asked to call the duty manager. After approximately 5 minutes, Darrell Damalie joined PC Jones who pointed out the numerous breaches of the premises licence; the obstruction of the highway, the overcrowding of the smoking area and of a member of the door team operating without displaying an SIA badge. Subsequently the barriers were removed and customers and drinks ushered back inside the premises. Whilst PC Jones was present he noted that, the door supervisor's book was completed. No incidents had been recorded. There were four SIA door staff on duty and full details were obtained from their badges. Their details were recorded by PC Jones; Cona Jackson, Richard Simmons, Barteck Myca, and Ivan Sseninde.

Concerned at these breaches and of the behaviour demonstrated by the SIA door staff, a warning letter (attached) was sent to Noel Samaroo to ensure that, as DPS & PLH, he was aware of the situation, and of the breaches of the premises licence for which he is responsible under the licensing Act 2003

1st December 2018 02:40 hours

On 3rd December 2018 a member of the public reported to Sussex Police that a male had been inside Déjà Vu on 1st December when he was assaulted sustaining a serious injury. It was reported that the male was currently at hospital receiving treatment for a broken jaw.

Police officers located the victim who stated that he was unable to remember very much as he had been so drunk. However, he stated that, towards the end of the evening someone had punched him to the face. The following day he had attended hospital where it was established that his jaw had been broken in numerous places and that emergency surgery was necessary.

When the police officers attended the premises, it was ascertained that the suspect was known to the Déjà Vu staff who were in fact able to identify him. Despite this and despite having full awareness of the incident staff, failed to contact Sussex Police or South East Coastal Ambulance (SECAM). This demonstrated a woefully inadequate duty of care to the victim and further meant that any forensic evidence from the crime scene was lost.

This was compounded by the poor response to requests for copies of CCTV footage of the incident, sought by the investigating police officer. The initial CCTV footage could not be viewed. Despite repeated calls, and visits to the premises, a playable copy was never provided to Sussex Police. While endeavoring to obtain the footage of this incident the investigating officer was informed by the manager that it should have been dropped off at the police station and that the assistant manager had now been sacked. Due to the victim's level of intoxication, the CCTV footage was imperative in supporting this investigation. Eventually, the footage was finally made viewable however due to a number of factors, the original suspect was not charged.

1st January 2019 01:12 hours

In the early hours of 1st January 2019, police were called to Deja Vu by a member of SIA door staff. On arrival the officers witnessed a female being restrained. She had been removed from the premises due to her level of intoxication and was reported to have bitten a member of door staff twice to the leg. The female was not compliant and had made violent threats. In view of the information provided, the female was arrested and taken into police custody. It was later that the victim, a member of the SIA door team, decided he did not wish to support police action and the female was consequently released from police custody.

It is difficult to see how, having sought police assistance and provided information which resulted in a person being arrested, a Security Industry Authority door supervisor considers himself to be promoting the prevention of crime and disorder by withdrawing his support.

1st January 2019 02:40 hours

At 02:40 hours on 1st January, uniform Police officers were dealing with an unrelated matter outside Déjà Vu, when they observed, SIA door staff ejecting a number of people from the premises. This appeared to follow an incident which had taken place between 2 males while inside the bar.

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One of the males involved, was heard shouting "Come on, let's have it" at the door supervisor while being pushed away. The police officers then intervened removing the male from the immediate area advising him to go home. Whilst the officers were dealing with this male, a second male approached them and was promptly head butted in the face and punched by the first male. The victim appeared to have a cut to his lip which was bleeding. The assailant was arrested and taken to custody where he was given a formal police caution for affray. It was noted by the officers that suspect appeared to be 'highly intoxicated'.

6th January 2019 01:29 hours

At 01:29 hours PC Jones was on duty when he observed three females running along Crawley High Street. Approximately 15 minutes later at 01:45 hours PC Jones conducted a licensing visit at Déjà Vu and noted that the three females were now inside the premises. PC Jones was aware that the premises has a condition attached to the licence which prevents re-entry after 01:00 hours [at Annex 2 condition (9) see 28th September 2018]

This breach was pointed out to the general manager and the relevant CCTV footage requested. PC Jones was informed that it was not possible to assist him. The officer then informed staff that he would return at 03:00 hours to collect it. On his return at 03:00 hours Mr. Samaroo had attended the premises and a DVD of the footage was handed to PC Jones.

When PC Jones viewed the footage it became apparent that this was not footage from the CCTV system but a copy of a mobile 'phone download which had been recorded at double speed.

Mr. Samaroo was emailed advising him of this shortcoming.

12th January 2019 01:18 hours

PC Jones was on duty in uniform in Crawley High Street adjacent to Déjà Vu and when he noted a well-built male, wearing distinctive clothing, approach the premises in the company of a female. They appeared to be refused entry to the premises and continued around the corner. At 01:58 hours PC Jones entered the premises whereby he identified the same male and female inside the premises. A request was made for CCTV for all entrances including the fire escape at the rear of the premises for the period of time in question. As the DPS was not present this request was made via the head door supervisor specifying the breach of the premises licence as the reason.

12th January 2019

PC Jones visited Déjà Vu to collect the CCTV footage for the incidents of both 6th and 12th January 2019. Unfortunately the CCTV footage for 6th January would not play. No footage was provided for 12th January 2019.

13th January 2019

PC Jones again visited Déjà Vu to collect the CCTV footage for both 6th and 12th January 2019. Again despite assurances to the contrary, the CCTV for 6th would not play and again it contained no footage for 12th January 2019.

14th January 2019 at 20:00 hours

PC Jones attended Déjà Vu to collect the CCTV footage for both 6th and 12th January 2019. The member of staff dealing with this stated he had just awoken so had not yet addressed the problem. PC Jones returned to the premises an hour later. The DPS Mr. Samaroo was present and provided a USB stick which apparently held the required data. PC Jones asked for this to be checked prior to him leaving the premises. No video files were present on the stick.

PC Jones informed Mr. Samaroo that if this was not provided by the time the next police officer visited a Closure Notice under Section 19 of Criminal Justice & Police Act 2001 would be issued. Assurances were given that it would be ready by 22:00 hours that day. At 23:25 hours the premises were visited and footage was still being downloaded. An evidence bag was provided for it to be delivered to the Police Station.

18th January 2019

PC Jones checked the footage supplied. While some cameras had been downloaded none of those covering the rear or the outside of the premises had been provided.

29th January 2019

Mr. Samaroo was emailed regarding the missing CCTV. An email reply was received asking for all USB

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sticks to be returned. PC Jones confirmed these had previously been returned and that the one outstanding would be returned the following day.

30th January 2019

On 30th January a member of staff from the premises informed PC Jones that it would take a further 11 hours to download the requested CCTV footage. At 22:39 hours PC Jones received a message from the premises staff requesting he provide any original footage so that it could be converted. PC Jones confirmed that all the footage had been returned to the premises. Mr. Samaroo later called to say that an engineer would be called out and requested PC Jones be present at 3pm the following afternoon. As PC Jones would not be on duty at that time this was not possible, however he agreed to attend in the evening to collect the footage.

1st February 2019

Mr. Samaroo emailed PC Jones. Unfortunately, he was now unable to provide the remaining footage as it had been over written. He apologised for the "inept way that the CCTV was provided" stating that the CCTV system was old and needed to be replaced

9th March 2019 Sub-Judice

This incident relates to person(s) who having been drinking and dancing at the premises and were later involved in an incident concerning an allegation of sexual assault. The concerns for Sussex Police are the intoxication levels of the person(s) while at the premises. Furthermore, while some CCTV footage has been provided, this transpired to be incomplete, and not in a viewable format. This has hampered the investigating officers' enquiries. **(Further details cannot be provided as the case remains sub-judice).**

25th March 2019

A Meeting was held at Horsham Police Station to discuss a number of concerns held by Sussex Police regarding the management of Déjà Vu. The meeting was attended by PC CJ903 Jones and Pauline Giddings, Divisional Licensing Officer, of the Neighbourhood Licensing Team and Mr. Samaroo the DPS and PLH of the premises. Mr. Samaroo agreed that an inordinate amount of police time had been spent endeavouring to secure CCTV footage from the premises. He explained that he had overestimated the capabilities of a staff member but that he anticipated his head door supervisor was better equipped to manage this in future. It was also stated that Mr. Samaroo's sister was to take her BII exam and become the general manager. Mr. Samaroo was at this time reminded of the condition attached to the premises licence pertaining to CCTV which states at Annex 2 condition (2):

- *Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.*
 - *The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.*
 - *CCTV footage will be stored for a minimum of 31 days*
 - *The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.*
 - *The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.*
 - *Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police*

Evidently this condition has not been adhered to.

Mr. Samaroo proceeded to say that he was aware that the three females had entered the premises after 01:00 hours on **6th January 2019** but endeavoured to account for this stating that they had popped out to take money from the cash machine to pay for their drinks. He stated this was recorded by one of the SIA door supervisors who then permitted re-admittance. Mr. Samaroo was again reminded of the "no re-entry" condition attached to the premises licence. (Previously documented on page 5).

Mr. Samaroo was then shown the CCTV footage of 6th January. The footage shows 3 females entering the premises after 01:00 hours, unchallenged by the SIA door staff. The females later leave the premises, and on returning are again admitted unchallenged. This is inconsistent with the explanation provided by the DPS.

It was explained to Mr Samaroo that re-admittance after 01:00 is a condition of the licence and as such is not discretionary.

Mr. Samaroo went on to say that he had looked at the CCTV footage of **12th January 2019** and that there was no evidence that a male had entered the premises from the fire exit at the rear of the premises. This CCTV footage was then viewed and the appearance of the distinctive male and his companion from the rear of the premises quite clear.

Mr. Samaroo was incredulous and then admitted that he personally had not actually viewed the CCTV but that his staff had. He stated that he was most disappointed and admitted that having been adamant no entry had been gained through the fire exit, this was evidently not the case.

It was explained that it was of further concern that a number of staff members were present when the couple, having just been refused entry via the front of the club, were subsequently welcomed by a variety of people when appearing from the rear of the premises. PC Jones confirmed that two staff members, including the head door supervisor had confirmed on the night that the male was staff. Mr. Samaroo stated this was not true. He went on to say that the staff member who had allowed the male entry could not remain in his employment; blaming him also for the failure to provide the CCTV efficiently. It was suggested to the DPS that, one staff member could not be held solely responsible for all these failings. He as PLH & DPS was ultimately responsible for the premises and the way that it is run. Furthermore it was unlikely that in a premises the size of Déjà vu, none of the 4 SIA trained door staff on duty would have noticed a well-built male entering the premises. It was also of concern to Sussex Police that these same members of staff were repeatedly unable to supply a copy of CCTV footage and were unable to provide a constant or accurate account of events, either to the police officer or, it seems, to the premises supervisor. It was advised that Body Worn Video cameras (BWV) should be worn by all the SIA door staff and that this should be a condition attached to the premises licence. This would ensure footage was readily available and would provide a record of any verbal exchange taking place. It was also discussed that SIA door supervisors were still difficult to identify and that wearing Hi Viz vests had been previously identified and recommended by Sussex Police. Mr. Samaroo stated that they were worn when outside the premises but he would ensure this was at all times while on duty.

It was explained to Mr. Samaroo that a considerable amount of police time had already been spent trying to assist him so that the licensing objectives are promoted and that he is complying with the conditions on the premises licence. This was not something that could continue. It was made clear that the matters raised should be addressed, as a matter of urgency, in order that staff at the premises, and members of the public were kept safe from harm.

On 5th May 2019 at 01:26hrs Sub-Judice

On 5th May 2019 at 01:26 hrs police officers received a report from member of the public that a male had been assaulted and was unconscious on the floor outside Deja Vu. The male (1) had been inside the premises and, having been asked to leave, was then assaulted outside the club. A second male (2) also sustained some injuries apparently while trying to assist Male (1). Both victims were transported to New East Surrey Hospital. A number of staff from the premises were arrested. The matter remains Sub-Judice.

16th May 2019

Sussex Police received a Late Temporary Event Notice in relation to Déjà vu. It gave notice of the intention to extend the permitted hours for the sale of alcohol (on and off sales) by one hour from

02:00 to 03:00 for three nights over the late May bank holiday weekend, (25th-27th May 2019), also to increase the capacity of the smoking area. Due to the ongoing investigation into the assault of 5th May Sussex Police raised an objection to the Notice under S104 (2) of the Licensing Act 2003. Mr. Samaroo subsequently withdrew the Notice.

6th June 2019 23:30 hours

On Wednesday 6th June at approximately 23:30 hours police officers were called by staff at Deja Vu requesting assistance. Members of staff had detained a male who had been into their stock room and had stolen a bottle of Jack Daniels spirit. The male had been stopped by staff just outside the storeroom door with the one item in his possession. However when the police officers attended they were merely asked to escort the male from the premises, stating that they were not willing to support further action. Having witnessed the theft, and called for police officers to attend, the staff refused to support any further action; failing to promote the licensing objective of the prevention of crime and disorder.

15th June 2019 23:31 hours

Sussex Police received a call from staff requesting assistance due to a group of eight males inside the premises abusing staff. They were reported as being highly intoxicated and becoming "more and more agitated". Staff raised concerns to the police that they believed a fight was about to erupt. At approximately 23:40 hours, the premises staff then cancelled the request for police assistance, having decided to let the males remain on the premises.

19th June 2019 23:28 hours

At 23:30 hours a 15 year old female entered Déjà vu in the company of another female. They proceeded to the bar where alcohol was purchased by the older girl for both of them. They remained on the premises until 01:52 during which time further drinks were purchased for both girls; by the older female and by some male patrons of the bar.

This incident subsequently came to the attention of Sussex Police via a family member concerned about the safety of the young & vulnerable female. (Full details cannot be provided in this document) PC Jones requested, and was provided with, CCTV footage of the incident by the premises staff. However upon viewing, it became apparent this was incomplete; an hour and a half was missing during the time the females remained on the premises. Following a second request the complete footage was provided. It is clear to see that at no time is the child asked to produce I.D. nor is any attempt made to prevent the proxy sale of alcohol for a child. No intervention, nor duty of care is apparent.

23rd June 02:46 hours

The South East Ambulance Service contacted Sussex Police to report of a male who had been involved in a fight within Déjà Vu. The male had been knocked unconscious with a bump to the head. Having regained consciousness the victim then left the scene and no further action was taken by the ambulance service. Police officers were not called to the assault by the premises staff.

Later that day (**23rd June 20:00 hours**) Pc Jones attended the premises and requested to see the CCTV footage from the assault at 02:46 hours. The footage showed people dancing on the dance floor. Following some interaction between the males, the suspect suddenly assaulted the victim, inflicting a number of blows to him, even after he has fallen to the floor. Shortly afterwards door supervisors appear and place the victim in the recovery position. The suspect was not detained and the police are not called; despite the victim losing consciousness. Ultimately the victim did not wish to engage with the police and the incident not progressed by investigating officers.

However Sussex Police are greatly concerned that a patron of the club sustained head injuries which could have been life changing. The impact of which may not have been immediately discernible. Yet no call was made to the police and no attempt was made to detain the suspect.

PC Jones raised these concerns with Mr. Samaroo, who stated that, as the victim did not want to report the matter they did not inform the police. It was explained that it is not appropriate for premises staff to decide which assaults they are going to report to the police.

While on the premises PC Jones explained to the DPS that it was a year since drug mapping was carried out at the club and offered to repeat the process. Mr. Samaroo agreed that this was a good idea.

23rd June 23:42 hours.

PC Jones emailed Mr Samaroo with the results of the earlier drugs mapping. The full set of results are attached separately but those which are considered to be high readings have been included in the body of this document. Last year's were included for ease:-

Mapping results 2018 (May)

Male toilet: cocaine – 5.81
 Male toilet door: cocaine – 4.43
 Female toilet 1: cocaine – 4.46
 Female toilet 1 door: cocaine – 3.53
 Female toilet 2: cocaine – 4.17
 Disabled toilet: cocaine – 3.64
 Disabled toilet door: cocaine – 4.75

Mapping results 2019 (June)

Male toilet: cocaine – 6.49
 Male toilet door: cocaine – 5.70
 Female toilet 1: cocaine – 4.11
 Female toilet 2: cocaine – 4.25
 Female toilet 3 shelf: cocaine – 3.99
 Disabled toilet: not tested
 Disabled toilet door: not tested

- *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.*

The results indicate a rise in the number of high readings of cocaine at the premises. This suggests there remains an issue with the use of illegal drugs in the toilets of the premises.

Within the email PC Jones reminded Mr Samaroo that in 2018 the drugs' policy was identified as in need of updating and that SIA door supervisors should undertake searches upon entry. He was therefore asked to provide copies of the following documents:

1. Drugs Policy
2. Dispersal policy
3. List of persons authorised to sell alcohol
4. Full and dated training records for those persons

4th July 2019 23:20 hours

While on duty Pc Jones became aware that the pavement area between Déjà Vu and the road was blocked at the Southern end preventing pedestrians from accessing the pavement. Tables and chairs were positioned adjacent to the front windows of the premises and the barriers along the roadway. PC Jones informed the head door supervisor, Mr. Slawomir Piatek, that these needed removing to allow members of the public to use the pavement. The door supervisor suggested that the officer should speak to the DPS

first. PC Jones reminded Mr. Piatek that the smoking area is clearly prescribed as a condition of the premises licence and should be adjacent to the premises not across the entire pavement area. Reluctantly he removed the barriers. At the time of this visit 3 members of SIA door supervisors were on duty and 7 customers.

The condition of the premises licence at Annex 2 (17) clearly states that

- *The Designated Area shall be at the front of the premises, adjacent to the entrance. This shall be clearly defined by way of substantial barriers and shall hold a maximum of 15 people at any one time. No entertainment of any sort will be permitted in the Designated Area.*

5th July 2019 00:30 hours

Just over an hour later PC Jones returned to the High Street where it immediately became apparent that the barriers had been returned to the original location. PC Jones reiterated his previous direction to the head door supervisor. Once again he was dismissive of the officer's concerns and suggested he should speak with the DPS, Mr. Samaroo. However he also informed the officer that Mr. Samaroo was not actually present. PC Jones then asked to speak with the duty manager; who confirmed she had instructed the door supervisors to replace the barriers. PC Jones explained that this was in contravention of the conditions placed upon the premises licence. In the interests of clarity the duty manager was asked to go and get the copy of the licence so that she could see clearly what her responsibilities were. The licence could not initially be found but, after a considerable time, was located in a different building along the road. Condition 17 was read out and subsequently the staff removed the barriers. PC Jones then asked if they actually had a licence to place tables & chairs upon the highway. It was clear they did not know.

Condition 12 Annex 2 states:

- *When door supervisors are deployed at the premises, there will be a minimum of one controlling access and egress of the premises at the main front doors, there will be a further member of door staff monitoring the inside of the premises and one member of door staff monitoring the outdoor smoking area*

It is disappointing therefore that the door supervisors, deployed expressly to monitor the smoking area, were apparently unaware of the specific conditions attached to the licence concerning their role and the parameters of the licence.

9th July 2019

PC Jones wrote to Mr Samaroo reminding him of his responsibilities under the Licensing Act 2003 and of the request made of him on **23rd June** to produce documentation, as required by the conditions attached to the premises licence. Mr Samaroo was also made aware that he is not in possession of a Highways permit and that to place furniture on the highway without one is an offence under Section 137 and Section 149 of the Highways Act 1980.

10th July 2019

Mr Samaroo responded to the email of 9th July, attaching copies of the documents requested in June. In it he apologised for the delay but accounted explained that he had been updating the drugs policy, however it was on the premises and could have been produced upon request. The same applied for the premises' dispersal policy. Mr Samaroo stated that most of his staff have obtained a personal licence and have been issued with copies of the operating schedule the dispersal policy and drugs policy. There were further explanations and queries from Mr Samaroo (email attached) regarding his confusion over the meaning of the conditions attached to the premises licence at (17), (22), (23) and (24) of Annex 2 pertaining to the outside area. The use of this area was extended under a variation application in March 2017.

Condition (16) of Annex 2 is preceded by the sub heading "(Following conditions agreed with environmental Services)". It was therefore suggested to Mr Samaroo that any clarification around this should be made of the Local Authority Environmental Services.

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It should be noted Mr. Samaroo has subsequently re-employed the bar staff and door supervisors who he had previously identified to Sussex Police as those he considered responsible for failings at this premises.

Sussex Police have considered the failings encountered at this premises and of the shortcomings of Mr. Samaroo, as the DPS and PLH of Déjà Vu; despite repeated interventions by Sussex Police. It is clear that the current situation cannot continue and that Mr. Samaroo and his reliance upon his in-house door team is, at best, misplaced. Their combined efforts can only be described as inadequate.

The conditions attached to this premises licence were placed there in order to promote the licensing objectives and to keep people safe. In this case the repeated breaches have resulted in a failure to promote 'the prevention of crime & disorder', 'the protection of children from harm' and of 'public safety'. Permitting entry to the premises after the lawful time, allows persons, already at their alcohol tolerance level, the opportunity to further purchase alcohol on a licenced premises. The further failure to identify patrons reaching their alcohol tolerance level has allowed intoxication levels to reach a degree whereby fights have occurred resulting in assaults on staff and customers alike. The failure to carry out the appropriate age verification checks has allowed a child of 15 to consume alcohol while on the premises until almost 02:00 hours

The failure of the premises licence holder to properly provide CCTV footage to Sussex Police, either by accident or design, has similarly breached the conditions placed upon this licence. This has potentially concealed criminal offences and has certainly hampered Sussex Police in lawful investigations; necessary to ascertain the truth and to keep members of the public safe and premises staff safe.

The door supervisors have failed to recognise the obligations bestowed upon them in their role of responsibility. The premises supervisor has been naïve and provided an inadequate, insufficiently robust supervision of his premises.

Sussex Police therefore contend that a number of further measures are necessary to ensure the licensed premises can be run safely and to the benefit, rather than to the detriment, of the local community.

1. A new Designated Premises Supervisor shall be appointed whose day to day control of the premises shall focus on ensuring the premises is properly supervised during the hours of the Night Time Economy.

Sussex Police consider this necessary to ensure that a strong personal licence holder is able to take control and run the premises in accordance with the licence and the Licensing Act 2003 and is working at the premises for the opening hours during Night Time Economy, as far as is practicable.

2. The DPS or a Personal Licence Holder will be on the premises, in a working capacity, each day until all members of the public have left the premises and its curtilage.

Sussex police consider this appropriate to reduce the levels of drunkenness at the premises and support staff in providing a duty of care to patrons. This will also assist to promote the licensing objectives and adherence to the licence conditions

3. A single fully functioning CCTV system shall be installed capable of providing playable copies of footage, in accordance with the Home Office guidance. The DPS or duty manager (personal licence holder) shall be capable of providing copies of footage upon request.
To ensure all request for CCTV are swiftly & efficiently provided.

4. The DPS or duty manager shall be on site at all times.
To ensure all request for CCTV are swiftly & efficiently provided.

5. The SIA door supervisors for this premises must be employed through an external SIA door company
To ensure all appropriate and up to date training is managed and that SIA door staff are supervised by an independent dedicated SIA registered company.
6. All SIA door staff shall utilise functioning body worn video cameras at all times when they are on duty
To ensure all ejections refusals & interactions are properly monitored & recorded.
7. The premises licence holder shall implement a Duty of Care policy which shall be included in staff training for all members of bar staff and SIA door staff.
Sussex police consider this appropriate to reduce the levels of drunkenness at the premises and to support staff in providing a duty of care to patrons
8. Signage stating that the premises has a zero tolerance towards drugs
To promote the prevention of Crime & Disorder in relation to illicit drug
9. A drugs policy shall be included in staff training for all members of bar staff (and SIA door staff)
To promote the prevention of Crime & Disorder in relation to illicit drugs & to ensure seizure procedure is adhered to
10. The premises shall cease licensable activity at 01:00 hours
Sussex Police consider this is necessary to prevent the repeated breaches of the conditions currently attached premises licence pertaining to 'no entry to the premises after 01:00 hours designed to reduce levels of intoxication.
11. No children shall be admitted to the premises at any time.
To protect children from harm
12. Suspension of the licensable activities at the premises, for a period of not less than eight weeks
Sussex police consider a suspension of this length to be appropriate; allowing the premises to benefit from a 'reset' and the PLH sufficient time to achieve the following
 - To instate a new DPS.
 - To install a new functioning CCTV system
 - To appoint a new independent SIA door company
 - To ensure sufficient BWV cameras are available for all SIA door supervisors on duty.
 - To ensure that the new DPS and all the staff (including any new staff), involved in licensable activity are fully trained (retrained) and conversant with the conditions attached to the premises licence. (including any new conditions should they be attached by the licensing committee)
 - To give the new DPS time to familiarise themselves with the premises, with the concerns held by Sussex Police and to review current management practices.
 - To allow the PLH time to ensure all policy documents are up to date and fit for purpose.
 - To ensure that the new SIA door company are aware of the recent drugs readings and to produce an agreed approach to managing these.
 - Ensure all relevant permissions are in place.

This will also demonstrate that the Local Authority will not tolerate this level of mismanagement. The period of suspension will send a clear message to patrons that management of the premises has changed and that the behaviour previously allowed will no longer be tolerated.

Please mark X for yes
Have you made an application for review relating to this premises before? <input style="float: right;" type="checkbox"/>

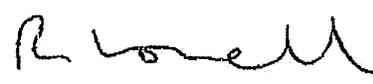
If yes, please state the date of that application	<input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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If you have made representations before relating to this premises please state what they were and when you made them

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 • 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)



R. Lovell.

Date: 24th July 2019

Capacity:
Force Prevention Licensing Inspector

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

FAO:

Insp R.Lovell / P. Giddings
Prevention Licensing Team
Centenary House
Durrington Lane

Post town
Worthing

Post code
BN13 2PQ

Telephone number (if any)
01273 404030

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

ws_licensing_wor@sussex.pnn.police.uk

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

This is the address which we shall use to correspond with you about this application.

Premises Licence

(Licensing Act 2003 - Part A)

CRAWLEY BOROUGH COUNCIL

Licensing Section, Town Hall, The Boulevard, Crawley,
West Sussex. RH10 1UZ
01293 438289



PREMISES LICENCE NUMBER

16/001916/LAPRE

Part 1 - Premises details

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

Déjà Vu Bar
26-32 High Street

Post Town Crawley **Post Code** RH10 1BW

Telephone number

Where the licence is time limited the dates; Not applicable

Licensable activities authorised by the licence

Live music, Recorded music, Performance of Dance, anything of a similar description;
Late Night Refreshment; Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:

Supply of Alcohol

Standard days & timings: Monday - Weds. 10.00 - 01.30
Thurs - Saturday 10.00 - 02.30
Sunday 10.00 - 23.30

Late Night Refreshment

Standard days & timings: Monday - Weds 23.00 - 01.30
Thurs - Saturday 23.00 - 02.30

Live Music, Recorder Music, Performance of Dance & anything of a similar description;

Standard days & timings: Monday - Weds 18.00 - 01.30
Thurs - Saturday 18.00 - 02.30
Sunday 18.00 - 23.30

The opening hours of the premises

Standard days & timings: Monday - Weds 08.00 - 02.00
Thurs - Saturday 08.00 - 03.00
Sunday 10.00 - 00.00

Where the licence authorises supplies of alcohol whether these are on the and/or off supplies

On / Off the premises *(as conditioned)*

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence;
DÉJÀ VU CLUBS LTD,

Registered number of holder, for example company number, charity number (where applicable)

10219779

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Noel Anthony Samaroo

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

10/00905/LAPER Crawley Borough Council

Annex 1 Mandatory Conditions

- 1 If this premises licence authorises the supply/sale of alcohol, the following two conditions apply:
 - (i) No supply of alcohol may be made under the premises licence at a time when there is no designated premises supervisor in respect of the premises licence, or at a time when the designated supervisor does not hold a personal licence or his personal licence is suspended.
 - (ii) Every supply/sale of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- 2 If this premises licence authorises the exhibition of film(s), the admission of children under the age of 18 years is restricted in accordance with the age restrictions of the British Board of Film Classification (BBFC) or authority designated under Section 4 of the Video Recordings Act 1984.

- 3 If this premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity (as defined by the Private Security Industry Act 2001) then such individuals must be licensed by the Security Industry Authority.
(Condition 4 effective from 6th April 2014)

4. (1) 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.
 - (2) For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “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 amount 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;
 - (c) “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;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
 - (3). Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- (4). (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
(Conditions 5 to 8 effective from 1st October 2014)
5. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available
7. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
8. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Annex 2 – Conditions consistent with the Operating Schedule

(Following conditions agreed with Sussex Police)

1. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under 25 (or the age set by the policy) will be asked for photographic ID to prove their age. Signage advertising the policy will be displayed at the point of sale as a minimum.
2. Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
 - a. The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - b. CCTV footage will be stored for a minimum of 31 days
 - c. The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
 - d. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - e. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.
3. The premises shall at all times maintain and operate a sales refusals log and an incident log book. These will be kept to record all refusals and incidents of crime or disorder. These records shall be kept for a minimum of twelve months, and made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff. These records will be kept for a minimum of 24 months
4. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to making sales of alcohol, and refresher training thereafter at intervals of no more than three months. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff. These records will be kept for a minimum of 24 months.
5. There will be no persons under 18 permitted on the premises past 21:00 hours on any day.
6. The DPS or a Personal Licence Holder will be on duty at the premise at all times that licensable activity is taking place.
7. The premises licence holder will produce a drugs policy which will include necessity to search customers for illegal and banned substances. This policy will be provided to Sussex Police upon request.

8. The premises licence holder will produce a dispersal policy which will detail how public nuisance and crime and disorder will be prevented when rejecting and ejecting customers. This will be made available to Sussex Police upon request.
9. No customers are permitted entry or re-entry to the premises after 01.00 save for smokers using the designated smoking area.
10. The premises will participate in and be an active member of the local Pubwatch scheme where one exists. Monthly meetings will be attended, and the premises will use the 'town-link' Pubwatch radio from 20:00 hours.
11. A minimum of three Security Industry Authority (SIA) trained & licensed door supervisors shall be deployed at the premises from 21:00 hours until all customers are clear from the vicinity of the premises every Thursday, Friday and Saturday night.
12. When door supervisors are deployed at the premises, there will be a minimum of one controlling access and egress of the premises at the main front doors, there will be a further member of door staff monitoring the inside of the premises and one member of door staff monitoring the outdoor smoking area.
13. A register shall be kept which records details of all SIA accredited door supervisors employed at the premises. This will be filled out at the beginning of their shift and shall include the date, their name and registered SIA badge number. These records shall be retained for a minimum of 24 months and will be made available to Sussex Police upon request.
14. The Premises Licence Holder or Designated Premises Supervisor will produce a written risk assessment identifying any requirement for plastic drinking vessels to be used, and the requirement for SIA door supervisors to be employed on occasions when the above condition does not require use of them. This risk assessment will be made available to Sussex Police upon request.
15. When any illegal substances or offensive weapons are found on persons who have been searched, they will be detained and police will be called.
(Following conditions agreed with environmental Services)
16. All forms of entertainment shall be set at a background level, namely 70 dB LAeq, 15 mins, whilst windows and doors are open. When music is played above this level, windows and doors shall be kept shut at all times, save for access and egress.
17. The Designated Area shall be at the front of the premises, adjacent to the entrance. This shall be clearly defined by way of substantial barriers and shall hold a maximum of 15 people at any one time. No entertainment of any sort will be permitted in the Designated Area.
18. Noise from any entertainment shall be inaudible within any noise sensitive premises (which includes any dwelling or business) that has one or more windows open. A test of fulfilment of this condition shall be that noise from the premises is no more than barely audible at the boundary of any nearby noise sensitive premises. On each day that entertainment takes place the designated premises supervisor or their nominated representative shall ensure that a test for fulfilment of this condition takes place on at least 3 occasions during any such entertainment.
19. Prior to the commencement of any entertainment, an automatic volume control (Noise Limiting Device) must be installed and operated to any sound system used at the premises. The level of the Automatic Volume Controller must be set by, and operated at a level agreed in writing by an Authorised Officer of Crawley Borough Councils Environmental Health Department. The Noise Limiting Device shall be secured by and to the satisfaction of an Authorised Officer of Crawley Borough Councils Environmental Health Department. The Noise Limiting Device setting shall not be altered in any way, nor its function interfered with in any way without the prior written consent of the same.

20. Prominent, clear and legible signage shall be displayed at all exits which have the effect of requesting patrons to respect the right of local residents to a peaceful night and to leave the premises and the area quietly.
21. The disposal of waste from the premises (to include glassware) and any delivery to the premises shall take not take place between the hours of 2200 – 0700 hours
22. Save for the Designated Smoking Area, the external area shall be closed to patrons from 0100 until 0800 hours.
23. All temporary barriers, tables and chairs will be secured away from the public when this area is not in use.
24. All 'OFF' sales of alcohol in open containers are to facilitate the consumption of alcohol only within an area as defined by substantial barriers as set aside for the uses of tables and chairs.

Annex 3 – Conditions attached after a hearing by the licensing authority

N/a

Annex 4 – Plans:-

This licence is issued subject to the attached approved plan (plan which was submitted as part of the application process) and now forms a very important part of the 'authorisation'.

(Any alternation made to the premises or a substantial change to the approved plans which are currently in the possession of the Council may require a variation of the licence. You are advised to consult with this Licensing Authority before you make any proposed changes).

IMPORTANT:

This licence is issued subject to the relevant (Licensing Act 2003, the Act) legislation and does not constitute an authorisation for any other purpose administered by Crawley Borough Council and it may not be construed that the grant of this premises licence shall indicate the approval of any other authorisation administered by this Council.

This licence forms an authorisation which indicates the approved licensable activities applicable to the premises so mentioned, the times of these activities, the approved layout of the premises and the conditions by which the premises may lawfully operate.

You are advised that in accordance with s136 on the Act , a person commits an offence if they carry on or attempt to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation or knowingly allow a licensable activity to be so carried on.

Annex 4 - Plans

Prem. Lic No. 16/001916

App. Ref. _____

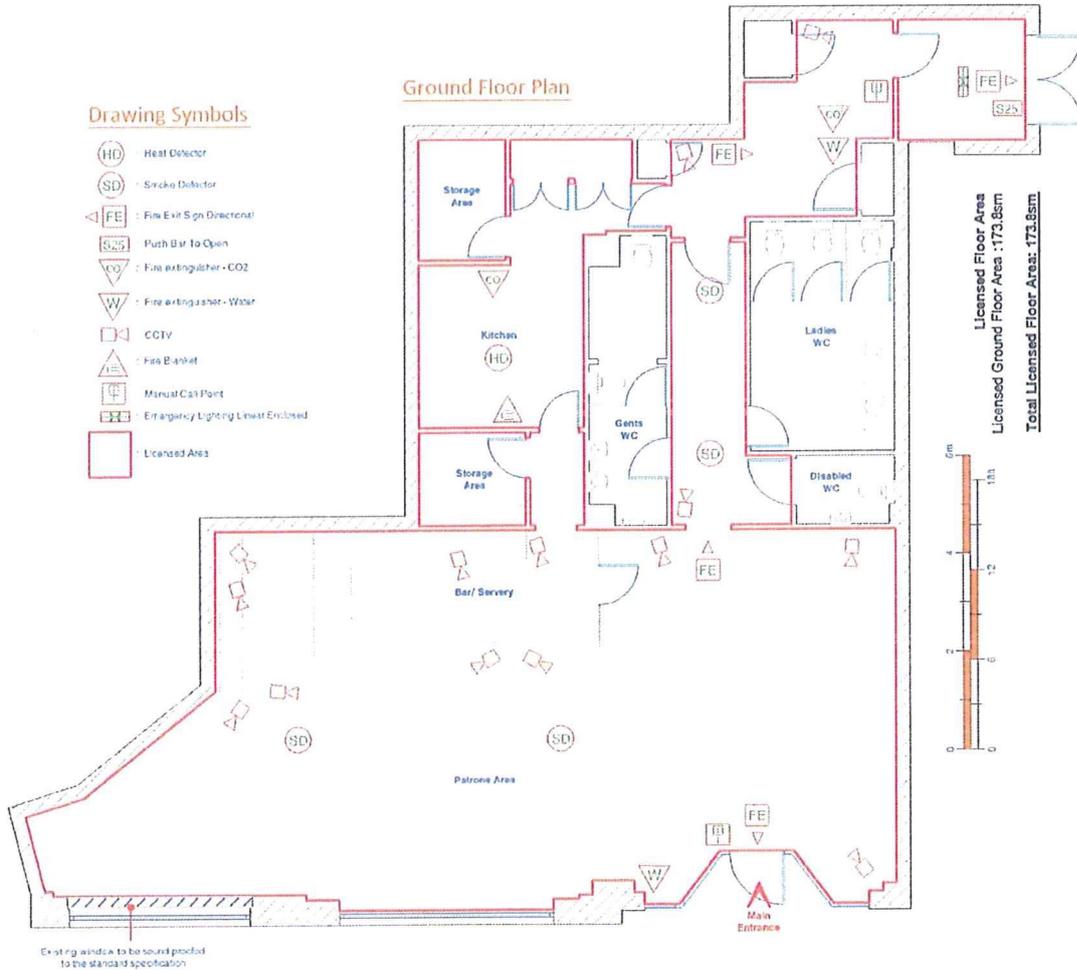
Date 19-07-2016

Signed *J.W.D.*

Drawing Symbols

-  Heat Detector
-  Smoke Detector
-  Fire Exit Sign Directional
-  Push Bar to Open
-  Fire Extinguisher - CO2
-  Fire Extinguisher - Water
-  CCTV
-  Fire Alarm
-  Manual Call Point
-  Emergency Lighting Linear Enclosed
-  Licensed Area

Ground Floor Plan



Licensed Floor Area : 173.8sm
 Licensed Ground Floor Area : 173.8sm
 Total Licensed Floor Area: 173.8sm

Drawing No: 00396 Rev A	Drawing Title: Premises Licensing Plan	Property: Ja Ja Bar 26-32 High St, Crawley, West Sussex RH10 1BW	Date: 16/06/2016	Sheet: 1 of 1
<p style="text-align: center;">UK Surveyors Ltd</p> <p style="text-align: center; font-size: small;">CAD Drafting - Planning - Building Regulations, Building Supervisors - Approved Licensing</p>			Do not scale off this plan Drawn By: SC & DJR Scale: 1:100 @ A4	
			Tel: Freephone: 0800 168 9059 Tel: Head Office: 01889 220880 Email: enquiries@uksurveyors.net Website: www.uksurveyors.net	

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Appendix C (Representation from the Premises Licence Holder) to follow

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From: Holly Yandall [mailto:holly.yandall@westsussex.gov.uk] **On Behalf Of** Public Health Licensing

Sent: 15 August 2019 12:46

To: Guest, Jackie <Jackie.Guest@crawlley.gov.uk>; CPU Team <cputeam@westsussex.gov.uk>; Cox, Brian <Brian.Cox@crawlley.gov.uk>; Democratic Services Helpline <Democratic.Services@crawlley.gov.uk>; Environmental Services <EnvironmentalServices@crawlley.gov.uk>; Business Fire Safety <BusinessFireSafety@westsussex.gov.uk>; Public Health Licensing <PublicHealth.Licensing@westsussex.gov.uk>; Home Office (Alcohol@homeoffice.gsi.gov.uk) <Alcohol@homeoffice.gsi.gov.uk>; Lyons, Michael <Michael.Lyons@crawlley.gov.uk>; McPherson, Jean <Jean.McPherson@crawlley.gov.uk>; Plympton, Kareen <Kareen.Plympton@crawlley.gov.uk>; Pocknell, Iain <Iain.Pocknell@crawlley.gov.uk>; Sussex Police (WS Licensing WOR@sussex.pnn.police.uk) <WS_Licensing_WOR@sussex.pnn.police.uk>; Trading Standards (intel@westsussex.gcsx.gov.uk) <intel@westsussex.gcsx.gov.uk>

Cc: Gomez, Deborah <Deborah.Gomez@crawlley.gov.uk>

Subject: RE: Review Application - Deja Vu Bar 26-32 High Street Crawley RH10 1BW

Dear Jackie,

Please find attached representation from WSCC Public Health .

Best wishes,

Holly Yandall

Public Health Lead for Substance Misuse – Public Health
West Sussex County Council

Public Health Licensing
West Sussex County Council
Postal address: 1st Floor, The Grange, County Hall Campus, Chichester PO19 1QT
Internal: 28683 | External: 0330 22 28683 | Mobile: 07920 542658
E-mail: PublicHealth.Licensing@westsussex.gov.uk

Holly Yandall

Public Health Lead for Alcohol and Drugs
Public Health Department
0330 222 8683
PublicHealth.Licensing@westsussex.gov.uk
www.westsussex.gov.uk

First Floor, The Grange
Tower Street
Chichester
West Sussex
PO19 1RQ



Alcohol & Premises Licensing
Planning & Environmental Services
Department
Town Hall
The Boulevard
Crawley
RH10 1UZ

12th August 2019

Dear Sir or Madam,

Re: Application for Review of Premises Licence: Déjà Vu Bar, 26-32 High Street, Crawley, RH10 1BW

West Sussex County Council (WSCC) Public Health Department wishes to support the application by Sussex Police to review the licence of Déjà Vu Bar, 26-32 High Street, Crawley, RH10 1BW.

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 undermined.

Serious questions have been raised over the ability of the current premises management – specifically the Designated Premises Supervisor (DPS) and the in-house door supervisor team – to run a safe and well-managed licensed venue.

Based on the information available and after consideration Public Health fully supports the request by Sussex Police for the Licensing Committee to impose an eight week suspension of the licence and apply additional conditions to the premises licence, including replacing the current DPS and outsourcing the door supervision to an external SIA-registered company.

Supporting information

It seems clear that there has been a consistent failure on the part of the PLH/DPS, Mr Noel Samaroo, to actively promote the licensing objectives in relation to the Prevention of Crime and Disorder, Public Safety and The Protection of Children from Harm.

Child on the premises

The evidence from Sussex Police highlights the failure to promote the licensing objective of The Protection of Children from Harm. The police evidence states that at approximately 23:30 on 19th June 2019, a 15 year-old girl entered the premises in the company of another female; they both proceeded to the bar where alcohol was purchased for both of them by the second female. They both remained in the venue until 01:52, during which time further drinks were purchased for both girls. At no time was the 15 year-old asked for identification to verify her age, and no attempt was made to prevent the proxy sales of alcohol to a child.

The Chief Medical Officer guidance for England is that an alcohol-free childhood is the healthiest and best option. However, if children drink alcohol underage, it should not be until at least the age of 15 years.

If young people aged 15 to 17 years consume alcohol, it should always be with the guidance of a parent or carer or in a supervised environment.

Drinking, even at age 15 or older, can be hazardous to health and not drinking is the healthiest option for young people.

It has been found that the younger people are when they drink the more likely they are to be a victim of violence.

It can also make them more vulnerable to:

- Injuries from accidents, for example falls and road accidents;
- Using other drugs or solvents;
- Unwanted sexual activity;
- Unsafe sexual activity, which can lead to sexually transmitted infections (STI) or unplanned pregnancy;
- Problems at school, such as poorer school performance or truancy;
- Having difficulties in relationships with family or friends.

For this reason:

- It is illegal for an adult to buy or try to buy alcohol for someone under 18.
- It is illegal for someone aged under 18 to drink alcohol in licensed premises

The current premises licence for Déjà Vu has a condition specifying that the premises will operate an age verification policy set at a minimum of 25 years. This is clearly not being adhered to. Door staff should be verifying the age of people before permitting entry and bar staff should prevent the obvious proxy purchasing of alcohol for a child.

It is clear that the licensing objective of The Protection of Children from Harm is not being promoted at this venue.

Violence on the premises

The evidence from Sussex Police suggests that violence is a regular occurrence at Déjà Vu, with incidents on:

- 1st December 2018 – in which a male was seriously injured and required hospital treatment for a broken jaw
- Two separate incidents on 1st January 2019, which included a male being headbutted in the face and punched.
- 5th May 2019 – in which a male was assaulted and knocked unconscious and required hospital treatment, and number of premises staff were arrested.
- 23rd June 2019 – in which a male was knocked unconscious and an ambulance was called.

These incidents demonstrate that the Public Safety licensing objective is not being promoted.

New Economy Manchester unit costs estimate that in 2015/16 the average cost *per incident* of serious wounding is £20,269.00¹. This incorporates fiscal, economic and social costs and includes a range of costs such as ambulance call-out, hospital treatment, police time and the impact on the victim.

It is very disappointing to note that, despite police being called to the premises on numerous occasions, staff have been reluctant to support police action which could help to prevent further violence at the venue in the future, indicating that the Public Safety and The Prevention of Crime and Disorder licensing objectives are not being promoted.

On 5th May 2019, police evidence states that a number of premises staff were arrested, underlining the fact that the licensing objective of The Prevention of Crime and Disorder is being undermined.

The violence on the premises could, in part, be explained by the high levels of intoxication reported on the premises and the very high readings for cocaine in the toilets.

Intoxication of customers

The evidence from Sussex Police highlights the high level of intoxication of patrons of Déjà Vu, with specific reference to this contained within the police incidents on:

- 28th September 2018 in which a male was seen to be unsteady on his feet
- 1st December 2019, in conjunction with the serious injury
- Two separate incidents on 1st January 2019
- 9th March 2019 relating to the allegation of sexual assault
- 15th June 2019 in relation to an incident in which police were called to deal with 8 'highly intoxicated' males

¹ New Economy Manchester (2015). Unit Cost Database. Available online at: <http://www.neweconomymanchester.com/our-work/research-evaluation-cost-benefit-analysis/cost-benefit-analysis>

Section 141 of the Licensing Act makes it an offence to knowingly sell or attempt to sell alcohol to a person who is drunk.

Drug use on the premises

The evidence provided by Sussex Police, of high readings for cocaine throughout the premises toilets (June 2019) is of great concern, particularly when combined with the examples of intoxication of the patrons.

Cocaine is a highly addictive drug which has adverse effects on the heart and circulatory system. This is exacerbated when combined with alcohol as it produces a toxic substance called Cocaethylene. Even for healthy people, the increase in heart rate and blood pressure can increase the chance of seizure, heart attack and stroke. Cocaethylene also puts a strain on the liver and, over time, can cause serious damage².

Cocaine's stimulant effect is reported to reduce a drinker's feelings of intoxication allowing greater quantities of alcohol to be consumed. The combination of the disinhibiting effect of alcohol and confidence inducing cocaine with the addition of Cocaethylene, leads to a heightened possibility of impulsive or reckless behaviour and violence³.

The very high readings for cocaine use on the Déjà Vu premises suggests that the current drug policy is ineffective or that staff are not sufficiently trained in how to implement the policy.

The high levels of intoxication on the premises and the very high readings for cocaine underline the fact that the Prevention of Crime and Disorder is not being promoted at Déjà Vu.

Conclusion

In conclusion, WSCC Public Health supports 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 at Déjà Vu.

The evidence provided highlights that there have been failings by the DPS and premises management, by the door supervisors, and by the premises staff to promote the licensing objectives.

Public Health therefore concurs with the view of Sussex Police that removing the current DPS, outsourcing the SIA door supervision, applying the proposed additional conditions to the premises licence and imposing an eight week suspension of the licence would be a reasonable and necessary course of action in this instance.

² Alcohol Education Research Council. (2010). *Cocaethylene: Responding to combined alcohol and cocaine use*. Available online at: https://ranzetta.typepad.com/files/cocaethylene_academy-briefing-paper-april-2010-8.pdf

³ Pennings, J.M., Leccese, A., de Wolff, F.A. (2002). *Effects of concurrent use of alcohol and cocaine*. *Addiction*, Volume 97, Issue 7, July : 773-783.

In addition to the conditions proposed by Sussex Police, we would suggest:

That the following text be added to proposed condition 9 (A drugs policy shall be included in staff training for all members of bar staff (and SIA door staff) :

This will include training in:

- *spotting the signs of drug use*
- *the procedure for logging all suspicions of drug dealing or drug taking on the premises*
- *the importance of regular toilet supervision to discourage crowds from congregating in the toilet area and to remove this as the obvious area to deal drugs.*
- *the search policy at the point of entry*
- *the procedure for the secure keeping of any drugs found and their handover to police.*

That the ratio of tables and chairs to customers, as well as the maximum venue capacity be reviewed by premises management:

Drinking behaviour depends on three different factors:

1. The drink - the amount and strength of alcohol
2. The drinker - the characteristics of the person drinking the alcohol and his or her state of mind and personal circumstances
3. The environment - the atmosphere and prevailing rules of the establishment where the drinking is taking place

Premises management and staff are in a position to control or influence the drinking environment through the layout of the premises, whether there are more people sitting or standing, the lighting and the music. These factors influence whether the customer is more likely to drink in a relaxed, social way or in an aggressive or competitive way⁴.

There is evidence to suggest that vertical drinking (i.e., where people stand) promotes more rapid drinking than when people are seated. Furthermore, overcrowding can lead to increased risk of violence and can risk the safety of people on the premises.

Yours sincerely,



Holly Yandall
Public Health Lead for Alcohol and Drugs

On behalf of the Director of Public Health

⁴ International Center for Alcohol Policies (ICAP) & European Forum for Responsible Drinking (EFRD). (2008). *Responsible service of alcohol: A server's guide*. Washington, DC: International Center for Alcohol Policies.

From: Kaye Adams [<mailto:kaye.adams@westsussex.gov.uk>] **On Behalf Of** Business Fire Safety
Sent: 06 August 2019 12:01
To: Guest, Jackie <Jackie.Guest@crawley.gov.uk>
Subject: E0615B Deja Vu Bar

LICENSING ACT 2003

Thank you for the information.

The Fire Authority have no objection to the application for a review of the Premises Licence in respect of the above premises.

A inspection was carried out by Hannah Boyns in September 2018 following some multi agency visits in Crawley the same month. Emergency lights weren't working and the fire extinguishers were out of date.

A letter was sent to Daryl the manager (and copied to yourselves) detailing the issues that needed rectifying.

Should you require any further advice or assistance please do not hesitate to contact the Protection Team at the above address.

Please can you acknowledge receipt - thank you

We value your feedback. Please have your say [here](#)

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**Kaye Adams Inspecting Officer- Business Fire Safety. West Sussex Fire and Rescue Service
West Sussex County Council
Horsham Fire Station, Hurst Road, Horsham, West Sussex RH12 2DN.
Mobile: 07912 298433 or Phone BFS: 033022 23333 Email: businessfiresafety@westsussex.gov.uk
Further Information: West Sussex County Council: [Business Fire Safety](#)
Do you know anyone that would benefit from a Home Fire Safety Check?
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From: McPherson, Jean
Sent: 25 July 2019 12:13
To: Guest, Jackie <Jackie.Guest@crawley.gov.uk>
Subject: RE: Review Application - Deja Vu Bar 26-32 High Street Crawley RH10 1BW

No planning comments

Jean McPherson
Group Manager (Development Management)
Crawley Borough Council

01293 438577
www.crawley.gov.uk

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At approximately 01:25 hours PC Warren Jones of the Prevention Licensing Team, was on duty in Crawley High Street adjacent to Déjà Vu. He observed the premises for around 10 minutes, during which time, the front doors were open for significant amounts of time; longer than might reasonably be considered necessary to allow access and egress to the premises. The noise escape was significant.

....

During this time a male, who was unsteady on his feet, was seen to leave the immediate area by the premises. On returning he was talking on his 'phone when was approached by two other males from the club. It was clear to PC Jones that an altercation was about to take place and he intervened, separating the males. The two males who had come over from the premises, walked back towards it, and were greeted by Mr. Slawomir Piatek, the head door supervisor (known as Slav). Slav was dressed all in black, his usual attire for door supervision. He was heard to speak to the males in their native language, and they walked back towards the club. PC Jones followed them and noted that they were allowed unrestricted re-entry to the premises despite it being after 0100hrs.

.....

The police officer pointed this out to Slav, who then informed him that it was his night off. Slav was wearing, a radio clipped to his belt. Later Slav described in detail how he had ejected people that night. It was noted that he was not displaying an SIA licence. PC Jones further noted that there were 22 people in the smoking area, and that drinks were being consumed. The entire pavement was being used and the barriers delineating the area, blocking any access for pedestrians.

This breaches both condition 17 and condition 22 of the premises licence

....

The door supervisors were then asked to call the duty manager. After approximately 5 minutes, Darrell Damalie joined PC Jones who pointed out the numerous breaches of the premises licence; the obstruction of the highway, the overcrowding of the smoking area and of a member of the door team operating without displaying an SIA badge. Subsequently the barriers were removed and customers and drinks ushered back inside the premises. Whilst PC Jones was present he noted that, the door supervisor's book was completed. No incidents had been recorded. There were four SIA door staff on duty and full details were obtained from their badges. Their details were recorded by PC Jones; Cona Jackson, Richard Simmons, Barteck Myca, and Ivan Sseninde.

Concerned at these breaches and of the behaviour demonstrated by the SIA door staff, a warning letter (attached) was sent to Noel Samaroo to ensure that, as DPS & PLH, he was aware of the situation, and of the breaches of the premises licence for which he is responsible under the licensing Act 2003

[Redacted] (when complete)

WITNESS STATEMENT

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

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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 8 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 1st August 2019

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

At about 0115hrs on Friday 28th September 2018 I was on duty in full uniform, in The High Street, Crawley. My attention had been drawn to licensed premises Déjà vu, 26-32 High Street, Crawley due to the very loud music that was coming from the premises, so I observed the premises from the opposite side of the street.

I am aware that the premises has been issued with Premises Licence 16/001916/LAPRE by Crawley Borough Council, which authorises a number of licensable activities to take place, subject to conditions attached to the licence.

I could see that the front door to the premises was being left open for periods of time in excess of what was required to allow patrons access and egress. The noise escape was significant.

I am aware that Condition 16 of Annex 2 of the above premises licence states:

All forms of entertainment shall be set at a background level, namely 70 dB LAeq, 15 mins, whilst windows and doors are open. When music is played above this level, windows and doors shall be kept shut at all times, save for access and egress.

Shortly after this, I noticed a suited male leave Deja Vu, and he was clearly unsteady on his feet. He made his way across the street towards the taxi offices, then a short time later positioned himself opposite the bar. Within a short space of time, two males exited the above premises and confronted the suited male in an aggressive manner. Fearing an altercation was about to take place I intervened, and the males separated. The two males who had come from Déjà vu, began walking back across the road towards the premises, and were met in the middle of the road by a male I know to be Slawomir PIATEK (aka Slav), a member of the premises door team. Slav was dressed all in black, exactly as he always does whilst conducting door supervision duties. Slav and the males exchanged words in their native language, and the males headed back towards the bar. As I observed them, they were allowed unchallenged access back into the bar, despite it now being 0125hrs, and beyond the 0100hrs cut off time for entry/re-entry. As I was adjacent to Slav, I pointed this out to him, along with some other issues I had noticed. Slav was visibly uninterested, and after a few seconds announced to me that he was off duty. Accordingly I approached the other door supervisors who were present, and asked to speak to the duty manager.

I am aware that Condition 9 of Annex 2 of the above premises licence states:

No customers are permitted entry or re-entry to the premises after 01.00 save for smokers using the designated smoking area.

Signature: [Redacted] Signature witnessed by: _____ MG11 5/2007

[Redacted] (when complete)

While I waited for the duty manager to attend, I conducted a walkthrough of the premises and the external smoking area. I noticed that the barriers used to delineate the smoking area had been used to completely block the pathway, preventing any access for pedestrians wishing to pass by. This pathway is part of the Highway, and access should be maintained.

I counted that there were 22 patrons in the smoking area, of which a number were consuming drinks. There were door supervisors present, and in a position to deal with any breaches of the premises licence conditions.

I am aware that Condition 17 of Annex 2 of the above premises licence states:

The Designated Area shall be at the front of the premises, adjacent to the entrance. This shall be clearly defined by way of substantial barriers and shall hold a maximum of 15 people at any one time. No entertainment of any sort will be permitted in the Designated Area.

I am also aware that Condition 22 of Annex 2 of the above premises licence states:

Save for the Designated Smoking Area, the external area shall be closed to patrons from 0100 until 0800 hours.

After a period of time, a male I know to be Darrell DAMALIE presented himself, and confirmed that he was the Manager. DAMALIE confirmed that he was familiar with the conditions attached to the premises licence, and I am aware that he was a previous Designated Premises Supervisor (DPS) for that premises. I pointed out the issues I had observed, and advised him that I would wait while they were rectified. DAMALIE instructed staff to clear the highway obstruction, and advised them to remove all drinks from the external area, and restrict numbers within it. Once these had been rectified, the two males who had been allowed unrestricted access were escorted out of the premises.

Although Slav had earlier advised me that he was not on duty, I noticed that he was wearing a radio from the premises. I also overheard him have a conversation with another Police officer who had been passing by, during which he described having ejected people from the premises that night. Slav was not displaying an SIA licence, as is required when undertaking licensable activity. I recorded the details of the other four door supervisors who were on duty, in my pocket note book.

At 0129 hours on Sunday 6th January 2019 I was on mobile duty in an unmarked police car, in full uniform in The High Street, Crawley when I noticed three females running along the High Street. They turned left opposite the KFC restaurant, and continued heading towards Peglar Way. I stopped my vehicle further along Peglar Way, and a short time later saw the girls walk past, and into Ifield Road, back towards the High Street. I drove around to the High Street, where I observed them exit Ifield Road, and walk towards Déjà vu. I drove my vehicle the circuit of High Street and Peglar Way, and parked in the High Street near to Déjà vu, but could no longer see the females.

At about 0145 hours on Sunday 6th January 2019 I conducted a licensing visit at Déjà vu, and immediately on entering, saw the three females I had previously observed in the High Street and Peglar Way, were now on the dance floor.

I am aware that Condition 9 of Annex 2 of the above premises licence states:

No customers are permitted entry or re-entry to the premises after 01.00 save for smokers using the designated smoking area.

I spoke to a male I now know to be Brandon YOUNG (aka CLARKE), who identified himself as the

Continuation of statement of

general Manager, and pointed out the breach of the last entry condition. As I suspected an offence had been committed, I formally requested he provide me with CCTV from all cameras at the premises, between 0030 hours and 0145 hours. YOUNG initially stated that it would not be possible to comply with my request, but I advised him that he should deal with the request straight away, and that I would return at 0300 hours to collect the footage.

I am aware that Condition 2 of Annex 2 of the above premises licence states:

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

- a. The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
- b. CCTV footage will be stored for a minimum of 31 days
- c. The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
- d. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
- e. Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.

At 0147 hours the same day, I took two photographs of the door supervisors log for that night. I can produce this as my exhibit marked WMJ/01.

At 0300 hours the same day I returned to Déjà vu to collect the CCTV footage. At the premises I was met by a male I now know to be Noel SAMAROO the current DPS. SAMAROO handed me a DVD disc that was identified as holding the requested CCTV footage. I subsequently viewed the DVD footage, but found that it did not contain the files I had requested. Instead it contained a video recording of a CCTV monitor screen displaying multiple camera feeds, recorded on another device, which played at double speed. The footage was so small the time and date stamps could not be viewed. At 1042 hours on 9th January 2019, I emailed SAMAROO in regards to what had been provided, and the need for the satisfactory provision of the requested CCTV footage. At 1054 hours the same day, SAMAROO sent an email in response confirming that he had not viewed the CCTV that had been supplied to me, but had made arrangements for the required footage to be provided.

At about 0118 hours on Saturday 12th January 2019, I was on duty in full uniform in The High Street, Crawley. At that time I noticed a Red coloured Alfa Romeo car park up in the loading bay directly outside Déjà vu. The occupants, a male and female, exited the vehicle, and approached the front entrance of Déjà vu. A short time later, the same couple walked back towards their car, but then continued along the road way towards Peglar Way. They then turned right towards the direction of the Asda store. The male had caught my attention as he was of large build, and was wearing a black coloured T-shirt with a Rabbit logo on the back of it.

At about 0158 hours the same day I conducted a licensing visit at Déjà vu. Immediately upon:

Signature



Signature witnessed by:

.....

PTO

entering, I saw that the male and female from the Alfa Romeo were now inside the premises, midway between the front door and the bar.

I exited the premises and spoke to the head door supervisor PIATEK. While speaking to him, the male and female left the premises and got into the Alfa Romeo, and drove away. At the same time, YOUNG, presented himself at the front door. I pointed out the breach involving the male and female from the Alfa Romeo, and as I suspected an offence had been committed, formally requested CCTV from all internal and external cameras that cover the entrance and fire exit, from 0100-0200 hours.

PIATEK became very animated at the suggestion that someone had gained entry after 0100 hours, refusing to accept that this had occurred. At the same time, YOUNG began to suggest that the male from the Alfa Romeo was in fact a member of staff, and had not been a patron. I left them to arrange the CCTV footage, agreeing that I would return for it the following evening.

Later on Saturday 12th January 2019, I began a further shift in full uniform, and attended Déjà vu to collect the requested CCTV from 6th and 12th January 2019. I subsequently reviewed the files on the USB provided, and found that the files dated 6th January 2019 would not play on Police systems, and there were no files for the 12th January 2019. The media player for the files had also not been included on the download. The USB was returned, and the requests for playable CCTV footage was reinforced.

On Sunday 13th January 2019, I was on duty in full uniform when I again visited Déjà vu to collect the requested CCTV footage from 6th and 12th January 2019. YOUNG provided me with a USB which he claimed would contain the requested footage for both days, converted in to a playable format. I subsequently reviewed the files on the USB, and found that they were exactly as provided the previous day. They had not been converted, still did not play on the Police systems, and there was still no footage from 12th January 2019. The USB was returned to YOUNG, who gave me assurances that he would ensure that the CCTV footage would be made available for me by 2000 hours the following evening.

At 2000 hours on Sunday 14th January 2019, I was on duty in full uniform when I attended Déjà vu to collect the CCTV footage from 6th and 12th January 2019. YOUNG presented himself, but stated that he had just awoken, and had not yet prepared the footage. YOUNG stated that he would only need 20 minutes to prepare the footage, however I advised him that I would return at 2100 hours, giving him plenty of time to deal.

At 2100 hours the same day, I returned to Déjà vu, and was met by SAMAROO, PIATEK, and YOUNG. I was presented with a USB stick, and assured that it now contained all the footage I had requested. To ensure this was correct, I asked if the footage on the USB could be demonstrated to me. YOUNG attached the USB stick to a laptop in the premises, and it showed that it contained no CCTV files at all. I spoke to SAMAROO, and expressed my discontent with the provision of the requested CCTV. I made it clear that if it was not provided to the next attending officer, I would consider issuing a s19 Closure Notice against the premises. SAMAROO assured me that he would deal with the CCTV provision immediately, and asked to be given until 2200 hours.

At 2145 hours the same day, SAMAROO telephoned me to say that they needed an extra hour to download the footage.

At 2205 hours the same day, PIATEK telephoned me, asking for me to confirm what footage was required.

At 2325 hours the same day I attended Déjà vu and spoke to SAMAROO. I had already waited

Continuation of statement of

beyond my shift hours, and he confirmed that they were still downloading the footage. Unable to remain on duty any longer, I provided SAMAROO with a Police Evidence Bag, and advised him to seal the USB within it, and deliver it to Horsham Police Station for my attention.

On Friday 18th January 2019, whilst I was on Annual Leave, I attended Horsham Police Station to check that the CCTV footage had been delivered. I received a USB stick from SAMAROO in my mail, and reviewed the files it contained. I noted that a number of camera feeds had not been provided, including all of the external cameras. The media player for the files had not been included, as is required with all CCTV provision, however I was able to locate a media player in order to review some of the files.

On Tuesday 29th January 2019, I emailed SAMAROO, advising him of the issues in relation to playable files, and the missing camera feeds. SAMAROO replied by email confirming that he would arrange for the missing footage to be provided. SAMAROO also emailed me, asking for all of the USB sticks to be returned to the premises. I confirmed to him that I was only in possession of the one he had delivered to Horsham Police Station, and that I would return it the following day.

On Wednesday 30th January 2019, I was contacted variously by staff at Déjà vu, to advise that it would take 11 hours to download the missing footage I had requested, and asking if I could provide them with footage already received so that they could convert it. I confirmed that I had returned all USB sticks to the premises, and that it was not my duty to provide them with any footage that they should already be in possession of. It was clear to me that there were significant failings within the management at the premises. SAMAROO later requested that I attend the premises at 1500 hours to following day when they had an engineer attending. I confirmed that this would not be possible as I would not be on duty at that time, but agreed to attend the premises to collect the footage that evening.

At 2009 hours on 1st February 2019 I received an email from SAMAROO. Within it he apologised for the inept handling of my requests for CCTV. He confirmed that the CCTV engineer had identified that footage was only being retained from 16th January 2019 onwards, and accordingly all the footage I had requested had now been overwritten. He confirmed that he had booked an overhaul of the old system and would be installing new cameras.

At about 2130 hours the same day, I attended Déjà vu to inspect the CCTV system. SAMAROO was present, but did not engage with me. PIATEK and a male I now know to be Brad FOROUDY, demonstrated the CCTV systems to me. I was able to see that there were two recording systems, and that footage from the Analogue system that had contained all of the required footage, was only retaining footage as far back as 16th January 2019. I was given assurances that YOUNG no longer had access to the CCTV systems, and that a new Digital system was to be installed to replace the Analogue device.

Following a meeting with SAMAROO on 25th March 2019, I became aware that YOUNG was no longer employed at the premises.

At about 1945 hours on Sunday 23rd June 2019 I attended Déjà vu, and spoke to SAMAROO at length about the business. I noticed that YOUNG was once again employed at the premises, and SAMAROO explained that it was due to difficulties in finding staff with a personal licence, to comply with his premises licence conditions.

During our meeting I requested that SAMAROO provide for inspection the premises Drugs Policy, Dispersal Policy, Training Records for all staff, and a list of persons authorised to sell alcohol on his behalf. It was agreed that he would email these to me.

To assist licensed premises in targeting and addressing the use of illicit drugs, Sussex Police

Signature



Signature witnessed by:

PTO

licensing teams will offer to "Drug Map" a premises. This involves taking sample swabs from surfaces throughout the premises, in order to identify the presence and strength of any such drugs. I offered this to SAMAROO, to compare against samples taken approximately a year previously. SAMAROO agreed that this would be a good idea, and I subsequently took a number of samples. The results of the drug mapping are detailed on a separate statement.

The results of the drug mapping were emailed to SAMAROO, who subsequently replied, expressing his disappointment at them. In his email, SAMAROO detailed additional measures he would be introducing with immediate effect, to target the possession and use of controlled drugs in Déjà vu. These included the provision of a door supervisor at the premises every night, for the purpose of "searching all patrons entering the premises, and more regular toilet checks."

I also asked SAMAROO to explain in detail an incident that occurred earlier in the morning of that day where at about 0246 hours, a male had been knocked unconscious in the premises. He explained that the assailant had not been detained and police not called, as the victim had subsequently said he did not want police involvement. I explained that it is not for him or his premises staff to make that decision. I advised him that it was expected that in all incidents where an assault has taken place, the assailant will be detained and police will be called. I asked SAMAROO to provide me with CCTV for this assault, and he arranged for FOROUDY to attend and deal.

At 1715 hours on Monday 24th June 2019, I attended Déjà vu, where I spoke with SAMAROO, and FOROUDY. YOUNG was also present. The CCTV from 23rd June 2019 was provided for me, in a viewable format. I spoke to SAMAROO, and advised him that since we had last met, I had become aware of an incident involving a 15 year old female, and information that she had attended the premises on the 19th June 2019. To assist in that investigation, I requested SAMAROO provide me with CCTV footage from all cameras that showed the female within the premises. SAMAROO again arranged for FOROUDY to deal with this request. Some of the footage was provided following this request, but further requests had to be made directly to FOROUDY to obtain all of the requested footage.

I subsequently reviewed the footage provided, and noted YOUNG speaking to the 15 year old female outside of the front of the premises, immediately before she was granted access to the premises at 2328 hours. I also noted that in the immediate vicinity of them was another member of bar staff, and an off duty member of the door team. The 15 year old was allowed entry to Deja vu without challenge, and without any ID being checked. The footage shows the 15 year old being supplied with long drinks, and shot drinks, purchased by other persons, without any challenge or intervention by staff at Déjà vu. I recognised YOUNG as being one of the two barmen on duty that evening, and saw that he served drinks to the 15 year old upon her entry, and subsequently to those that supplied them to the 15 year old. YOUNG would have been in a position to prevent the provision of alcohol to the 15 year old, yet he did not. She remained on the premises until 0152 hours the following morning when she and another female left in the company of two adult males.

I am aware that Condition 7 of Annex 1 (Mandatory Conditions) of the above premises licence states:

- (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years

Continuation of statement of

of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

I am aware that Condition 1 of Annex 2 of the above premises licence states:

The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under 25 (or the age set by the policy) will be asked for photographic ID to prove their age. Signage advertising the policy will be displayed at the point of sale as a minimum.

I am aware that Condition 5 of Annex 2 of the above premises licence states:

There will be no persons under 18 permitted on the premises past 21:00 hours on any day.

At about 0035 hours on Thursday 4th July 2019 I visited Déjà vu to collect some CCTV footage. YOUNG was present, but I could not see any door supervisors present. When I asked YOUNG where the door supervisor was, he confirmed that there was not one on duty, but he was under instructions to call out PIATEK should customer numbers reach 10 or more. This clearly did not match the assurances I had received from SAMAROO in his email of 24th June 2019.

At about 2320 hours on Thursday 4th July 2019, I was on duty in full uniform, when I passed Déjà vu in my unmarked police vehicle. I noticed that the outside area had increased in size from previous layouts. There were tables and chairs adjacent to the premises windows, and also adjacent to the railings that separated the roadway from the pathway. A narrow pathway was present between these two sets of tables, but barriers had been placed across the pathway at the southern end of the premises, so that pedestrians were unable to use the highway. PIATEK was on duty at the front of the premises, so I approached him and advised him that it was not permissible to block the highway in this way. PIATEK was abrupt towards me and appeared unhappy with my intervention, however I again advised PIATEK to remove the obstruction of the highway, which he then did.

At 0038 hours the following morning I passed the premises again, and noticed that the barriers had been replaced as before, again blocking the highway. I again approached PIATEK, and asked him why they had been put back, and to remove them. PIATEK refused to remove them, and told me to speak to SAMAROO. SAMAROO was not present, so I asked to speak to the duty manager. I spoke to a female I now know to Debby WALKEY, who was the duty manager. WALKEY confirmed that she had instructed staff to place the barriers across the pathway, as there had been previous issues with members of the public walking up in possession of drinks from elsewhere, which had caused them confusion as to whether they were their customers or not. There had also been an issue with cyclists using the pathway, and she considered this the best way to protect their customers. The layout and use of the outside area is controlled by conditions attached to the premises licence, along with legislation elsewhere.

For the purposes of clarity in regards to the outside area, I asked WALKEY to produce the premises licence for inspection, but she was unaware of its location. Staff searched the premises for it, but without any luck. It was eventually located in a separate building further along the High Street.

In company with WALKEY, and a number of other members of staff, we inspected the above premises licence, and specifically Condition 17 of Annex 2, which states:

Signature



Signature witnessed by:

PTO

The Designated Area shall be at the front of the premises, adjacent to the entrance. This shall be clearly defined by way of substantial barriers and shall hold a maximum of 15 people at any one time. No entertainment of any sort will be permitted in the Designated Area.

Whilst waiting for the premises licence to be located YOUNG had offered to clear the barriers causing the obstruction, which WALKEY agreed to. Following the reading of the premises licence conditions, WALKEY confirmed that they would abide by them.

I asked WALKEY if the premises had a Tables and Chairs licence from West Sussex County Council Highways department, permitting the placement of tables and chairs on the highway. WALKEY was unaware in this regards, so I advised that they should liaise with that authority as a priority I have since confirmed with the highways department that Déjà vu did not have a tables and chairs licence.

On 9th July 2019, I wrote to SAMAROO in regards to my visits on the 4th July 2019. I also reinforced my request for the documents I had initially requested, two weeks previously, on 23rd June 2019 to be produced for inspection. I am aware that Conditions 4, 7, and 8 of Annex 2 of the above premises licence state:

"All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regards age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to making sales of alcohol, and refresher training thereafter at intervals of no more than three months. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff. These records will be kept for a minimum of 24 months."

"The premises licence holder will produce a drugs policy which will include necessity to search customers for illegal and banned substances. This policy will be provided to Sussex Police upon request."

"The premises licence holder will produce a dispersal policy which will detail how public nuisance and crime and disorder will be prevented when rejecting and ejecting customers. This will be made available to Sussex Police upon request."

SAMAROO subsequently emailed the documents to me on 10th July 2019.

In regards to the matters above, dated 6th January 2019, 12th January 2019, 23rd June 2019, 4th July 2019, and 5th July 2019, I have produced a DVD of CCTV and Body Worn Video footage, which I produce as my exhibit marked WMJ/03.

In regards to the matter dated 19th June 2019, I have produced a DVD copy of CCTV footage which I produce as my exhibit marked WMJ/04.



Noel Samaroo

West Sussex

**Neighbourhood Licensing Team
West Sussex Division**

28th September 2018

RE: Déjà Vu Bar, 26-32 High Street, Crawley, RH10 1BW

Dear Noel,

At about 0115hrs on Friday 28th September 2018, I had the opportunity to observe the above premises from across the street. The premises has been issued with Premises Licence 16/001916/LAPRE by Crawley Borough Council, authoring a number of licensable activities to place, subject to the conditions attached to the licence.

As I observed the premises, it was clearly visible that the front door was remaining open far in excess of what was required to allow access and egress, and subsequently the noise escape was significant.

I must draw your attention to Condition 16 of Annex 2 of the above premises licence, which states:

- 16. All forms of entertainment shall be set at a background level, namely 70 dB LAeq, 15 mins, whilst windows and doors are open. When music is played above this level, windows and doors shall be kept shut at all times, save for access and egress.**

Shortly after this, I noticed a suited male leave the premises, and he was clearly unsteady on his feet. He made his way across the street towards the taxi offices, then a short time later positioned himself opposite the bar. Within a short space of time, two males exited the above premises and confronted the suited male, in an aggressive manner. It was at this point I intervened, and the males separated. The two males who had come from Déjà vu, began walking back across the road towards the premises, and were met in the middle of the road by Slav, a member of the premises door team. Slav was dressed all in black, exactly as he always does whilst conducting door supervision duties. Slav and the males exchanged words in their native language, and the males headed back towards the bar. As I observed them, they were allowed unchallenged access back into the bar, despite it now being 0125hrs, and beyond the 0100hrs cut off time for entry/re-entry. As I was adjacent to Slav, I pointed this out to him, along with some other issues I had noticed. Slav was visibly uninterested, and after a few seconds announced to me that he was off duty. Accordingly I approached the other door supervisors who were present, and asked to speak to the duty manager.

I must draw your attention to Condition 9 of Annex 2 of the above premises licence, which states:

- 9. No customers are permitted entry or re-entry to the premises after 01.00 save for smokers using the designated smoking area.**

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

Telephone: 01273 404242
101 ext 530353

While the duty manager was apparently being contacted, I conducted a walkthrough of the premises, and the smoking area to the front. I noted that once again, the smoking area had been extended to cover the entire pathway outside the premises, and was delineated with barriers that prevented any access for pedestrians along this part of the highway.

I also counted there to be 22 customers in the smoking area, with no effort by door supervisors to control the numbers to the permitted maximum of 15. Of these, a number were consuming drinks, despite this being set aside as a smoking area only after 0100hrs.

I must draw your attention to Conditions 17 and 22 of Annex 2 of the above premises licence, which state:

17. The Designated Area shall be at the front of the premises, adjacent to the entrance. This shall be clearly defined by way of substantial barriers and shall hold a maximum of 15 people at any one time. No entertainment of any sort will be permitted in the Designated Area.

22. Save for the Designated Smoking Area, the external area shall be closed to patrons from 0100 until 0800 hours.

After some minutes, Darrell Damalie presented himself, and confirmed that he was the Manager. I confirmed with him that he was aware of the conditions attached to the premises, and then highlighted the issues as above. I advised Darrell that I would wait while the issues were rectified, and he directed staff to clear the highway obstruction, and ensure that all drinks were removed, and only the permitted number of persons were in the outside smoking area.

It took a while longer for the two males who had re-entered the premises to be "ejected". It was clear that they were acquaintances of Slav, and that there was now rush to adhere to the licence condition. Despite Slav's assurances that he was off duty, he was wearing a radio, and in my presence he had a conversation with another Police Officer where he described having ejected people that night. Slav was un-badged, yet was undertaking licensable (SIA) activity. This is an offence under the Private Security Industry Act 2001, and places your customers at risk, and would no doubt have a significant impact on your insurance. There were four other door supervisors on duty at the time, so there was no requirement for Slav to become involved.

My initial confusion of assuming Slav was working harks back to the previous issues that have been identified in regards to easily identifying who the door staff are. Despite assurances from you in the past that you would obtain hi-vis jackets for the door team, this has never transpired. This is now an absolute necessity, and I expect this to be actioned as a priority and for them to be in place by next weekend (5th October 2018).

I also notice that again, despite previous assurances, there is still no ID scanner present at the premises. The rationale for this has been discussed previously, so I will not repeat it here. I look forward to you installing a suitable scanner at the earliest convenience.

I am also awaiting the supply of an updated search policy, following on from my earlier visit in May 2018, and the disappointing drugs mapping results. I also note that there have not been any calls from the premises in regards to positive drug searches, which would suggest that they are not being conducted on entry. My previous drugs mapping results have confirmed that illegal drugs were present in the premises, and I expect to see proactive measures in place to tackle this. I look forward to receiving the premises drugs policy by return.

As the Designated Premises Supervisor (DPS) of Deja Vu, you will no doubt be fully conversant with the following four licensing objectives under the Licensing Act 2003, and your obligation to promote them:

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety
- Protection of Children from harm

The issues I have identified above cause me significant concern that you are failing to promote the licensing objectives.

I must point out that as the Designated Premises Supervisor, and 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.

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

Telephone: 01273 404242
101 ext 530248

Furthermore, a review of this premises licence may be called for if further breaches of the Licence are substantiated.

This letter should be treated as a warning. If there are further breaches of the conditions of your Premises Licence, we will consider legal action without further notice, and this may place the premises licence at risk. Further observations of the premises may be carried out by officers of the Council and Sussex Police.

Immediate action is required to rectify the issues identified here. Please respond within 14 days from the date at the top of this letter confirming what measures have been put in place. I am happy for this to be by post 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 [REDACTED]
warren.jones@sussex.pnn.police.uk

Cc. Mike Lyons – Licensing Authority (CBC)

Jones Warren CJ903

From: [REDACTED]
Sent: 02 October 2018 04:23
To: Jones Warren CJ903; licensing@crawley.gov.uk; mike.lyons@crawley.gov.uk; Darrell
Cc: [REDACTED]
Subject: Deja vu bar 26 -30 High Street Crawley RH10 1BW

Dear Warren

With reference to your letter regarding the breaches that you identified I would like to thank you for bringing them to my attention we have taken these very seriously and actioned proposals to ensure that these breaches do not take place in the future.

1. Hi viz over vests have been ordered for the front door security staff and hope to be in place in the next few days. We are happy to do this voluntarily and hope that the other bars will follow suit.
2. With regards to a Club Scan as I am sure you are aware the is not a condition on our licence to have this and with the GDPR problem at the moment we feel that this is not appreciate or a necessity for our venue to have one however if this is a condition that everyone is adopting we will endeavour to follow suit.
3. We have delineated the outside area and the designated smoking area so that the staff can clearly see where the barriers should be set up this will eliminate any future confusion over this matter.
4. All security staff have been given additional training with regards to our licence conditions regarding 2.
5. As mentioned in item 3. Additional staff training has been given this also covered last entry and re entry times currently 01:00
6. We feel that our existing search Search policy is adequate but need to be enforced with a more vigorous approach.
7. Automatic door closures are attached to the front door and the staff have been reminded not to allow the door to be held open.
8. Our head doorman "Slav has been given a severe warning regarding his actions on the night in question and the points you raised explained in no uncertain terms that his actions were not only unprofessional but can put the premises licence and his SIA licence in jeopardy.
9. With regards to the Licensing Objectives I as the DPS and PLH am fully aware of my responsibilities under the licensing act and would like to point out the we are fully committed to working hand in hand with all the Responsible Authorities to ensure that the licensing Objectives are upheld to this end we welcome any further help and guidance from you to help us maintain this.
10. It is also important from a commercial stand point that our premises licence should allow us to complete on an equal and level playing field with other bars in the local area. To this end we welcome any suggestions you may have on how this can be achieved.
11. We appreciate that on the surface the breeches may appear minor but we are fully appreciative of the fact that a breech is nevertheless a breech and can put the premises licence in jeopardy by way of a licence Review and therefore the business as a whole at risk.
12. We would welcome any further consultation with you regarding the points you have raised.

Kind Regards
Noel A Samaroo
Deja Vu Clubs ltd

1st December 2018 02:40 hours

On 3rd December 2018 a member of the public reported to Sussex Police that a male had been inside Déjà Vu on 1st December when he was assaulted sustaining a serious injury. It was reported that the male was currently at hospital receiving treatment for a broken jaw.

Police officers located the victim who stated that he was unable to remember very much as he had been so drunk. However, he stated that, towards the end of the evening someone had punched him to the face. The following day he had attended hospital where it was established that his jaw had been broken in numerous places and that emergency surgery was necessary.

When the police officers attended the premises, it was ascertained that the suspect was known to the Déjà Vu staff who were in fact able to identify him. Despite this and despite having full awareness of the incident staff, failed to contact Sussex Police or South East Coastal Ambulance (SECAM). This demonstrated a woefully inadequate duty of care to the victim and further meant that any forensic evidence from the crime scene was lost.

This was compounded by the poor response to requests for copies of CCTV footage of the incident, sought by the investigating police officer. The initial CCTV footage could not be viewed. Despite repeated calls, and visits to the premises, a playable copy was never provided to Sussex Police. While endeavoring to obtain the footage of this incident the investigating officer was informed by the manager that it should have been dropped off at the police station and that the assistant manager had now been sacked.

Due to the victim's level of intoxication, the CCTV footage was imperative in supporting this investigation. Eventually, the footage was finally made viewable however due to a number of factors, the original suspect was not charged.

SUSSEX POLICE (when complete)

(CJ Act 1967, s.9; MC Act 1980, ss.5A (3) (a) and 5B; MC Rules 1981, r.70)

URN [] [] [] []

Statement of: [Redacted]

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

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: [Redacted] Date: 03/12/2018

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

On Saturday 1st December 2018 at around 0240 hours I was in Da Sa Vu Bar in Crawley High Street.

At that time I was quite drunk as I had been out for the evening. I don't really know what happened but I remember that I was dancing with a girl and then next thing I know someone has hit me really hard on the right hand side of my face. I really can't remember what happened after that but the next morning the right side of my face really really hurt so I went to Crawley Walk In Centre who referred me to East Sussex Hospital, the result of this was that I had two to four fractures on my right jaw so I was referred to Queen Victoria Hospital in East Grinstead and on Sunday 2nd December 2018 I had emergency surgery on my jaw to fix it.

Like I said I can't remember who did this to me but I have not given anyone permission to punch me or break my jaw. [Redacted]

Signature: [Redacted] Signature witnessed by: [Redacted]

PTO

SUSSEX POLICE (when complete)

(CJ Act 1967, s.9; MC Act 1980, ss.5A (3) (a) and 5B; MC Rules 1981, r.70)

URN [] [] [] []

Statement of: Brandon Young

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Bar Assistant Manager

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: [Redacted] Date: 03/12/2018

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

I am the assistant bar manager of De Sa Va Bar in Crawley High Street and I have worked here for the past 18 months

On Monday 3rd December 2018 I was on duty when the police have come to the bar to request CCTV footage on incident in the early hours of Saturday 1st December 2018.

Due to this I downloaded two DVD discs of CCTV footage from 0235 to 0240, I can produce these discs as

- B7/01 () Camera 1
B7/02 () Camera 8

The guy who threw the punch I know as [Redacted] [Redacted] knows him because he is a regular to the bar and is also friends with our promotion girl [Redacted] although she had left by the time of the incident.

Signature: [Redacted] Signature witnessed by: [Redacted]

PTO

déjà vu, 26-32 High Street, Crawley, West Sussex, RH10 1BW
 Assault GBH - 0240hrs 1st December 2018

Timeline for provision of CCTV

01/12/2018	0240 hrs	Assault takes place at Déjà vu. Witnessed by staff, but not reported to Sussex Police or SEGAM.
03/12/2018	1951 hrs	Third party report of assault received by Sussex Police. CCTV viewed at premises, and was to be downloaded.
03/12/2018	2231 hrs	Officers return to collect CCTV but are advised that they have run out of discs.
04/12/2018	2355 hrs	CCTV seized from premises.
14/12/2018	1535 hrs	Investigating officer finds that the CCTV does not work.
15/12/2018	0911 hrs	Call made to deputy manager. No reply - message left.
26/12/2018	2059 hrs	Call made, and assistant manager spoken to about a second copy of the CCTV.
10/01/2019	0918 hrs	LATE ENTRY - Investigating officer visited déjà vu, but CCTV was not ready.
10/01/2019	1422 hrs	Manager spoken to and will drop CCTV off tomorrow.
13/01/2019	1638 hrs	Chased CCTV. Will be dropped off tomorrow.
19/01/2019	1023 hrs	Rang Brandon about CCTV. He sent a text saying he couldn't talk right now.
17/02/2019	1612 hrs	Rang déjà vu. They said that the deputy manager was supposed to have dropped in the CCTV, but it was not received.
19/02/2019	2048 hrs	Rang Brandon to chase CCTV. Call dropped out. Text message also sent.
27/02/2019	2319 hrs	Spoke to Brandon. The assistant manager was supposed to have dropped the CCTV into front office. OIC told him it hadn't arrived. Brandon stated he had sacked the assistant manager. He was told to locate the CCTV.
27/02/2019	2321 hrs	Chased the CCTV. Brandon said that he is trying to track it down.
17/03/2019	1824 hrs	Text sent to déjà vu manager - again. Email sent to licensing to see if they can look at memory stick.
17/03/2019	2003 hrs	MP4 player obtained from licensing and managed to view the CCTV.

1st January 2019 01:12 hours

In the early hours of 1st January 2019, police were called to Deja Vu by a member of SIA door staff. On arrival the officers witnessed a female being restrained. She had been removed from the premises due to her level of intoxication and was reported to have bitten a member of door staff twice to the leg. The female was not compliant and had made violent threats. In view of the information provided, the female was arrested and taken into police custody. It was later that the victim, a member of the SIA door team, decided he did not wish to support police action and the female was consequently released from police custody.

It is difficult to see how, having sought police assistance and provided information which resulted in a person being arrested, a Security Industry Authority door supervisor considers himself to be promoting the prevention of crime and disorder by withdrawing his support.

[REDACTED] (When completed)

WITNESS STATEMENT

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

URN

Occurrence Number: 47190000048

Statement of: KATE BAILEY

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

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:  #DB015 BAILEY, K.

Date: 19/08/2019 22:43

Tick if witness evidence is visually recorded

On 1st January 2019, I was on duty in full uniform under call sign WR113. I was crewed with SC 2149 MANZELLA. At approximately 01.14hours, we were tasked with attending DÉJÀ VU, 26 HIGH STREET, CRAWLEY to assist doorstaff with an intoxicated female.

On arrival, I approached via the one way system and although I could see DÉJÀ VU I had no direct access to it with my vehicle. My crewed partner exited the vehicle and went to assist the staff whilst I completed the one way system and was able to pull up outside.

When I got there, an extremely intoxicated female, who I now know to be [REDACTED] DO [REDACTED] was sitting on the ground outside the front of DEJA VUE at the end of the building. She had already been placed in to cuffs by SC MANZELLA. She was screaming and furious at being assaulted by door staff. Her friend was there with her personal belongings and she was highly distressed at the way she felt she had been treated but she was too drunk to do anything rational about it.

This member of staff who had been assaulted was an extremely well built gentleman, he has worked at DÉJÀ VU for a while as I frequently see him outside DÉJÀ VU when it is open and I worked in Crawley for around 15 months. I know him as SLAV.

Once in the vehicle, I drove to custody and SC MANZELLA remained in the rear and she became very agitated, banging her head against the window and she needed further restraint for the short journey.

10/2017

[REDACTED] (When completed)

[REDACTED] (When completed)

The female was taken to custody where her detention was authorised.

We then returned straight away to Déjà vu and spoke to the victim. We had to do this quickly so that we could complete this task before they closed, bearing in mind we had arrested her and she was in custody. I spoke to the door staff who advised that she had bitten him on the thigh whilst being removed from the club for being intoxicated. During the struggle she bit him on the top of his thigh and he described the bite as 'really hard', he seemed surprised at how hard she had bitten him. I advised that she had been arrested for assaulting him and was in custody and we had returned to get a statement from him regarding the assault. He brushed me off saying he didn't need or want to do that, I checked with him that he was sure about this and he said that it was fine, he would get over it and wouldn't do anything about it.

This meant that we had someone in custody for assault but had no evidence of the assault. We had to immediately return to custody and release her as I had no evidence and no support from the victim. Myself and my partner took her back to her home address only a couple of hours later when she had sobered up slightly and was able to understand the process. It transpires that she was actually a reasonable person who had just drunk too much and it had got out of control at the club probably with her being allowed to consume an excessive amount of alcohol. I could tell by the difference in her behaviour that her level of intoxication at the club had been very high, she was irrational and a danger to herself and the other people in the bar.

It surprised me that the victim did not want to take it any further, even though he stated on scene that she had bitten him hard. She had done this as they had decided to remove her from the club and she had resisted, so he had become forceful with her and she had retaliated due to the level of force he was using and probably because in comparison to her, he is a much bigger built person who clearly does a lot of physical exercise to maintain his strength and build.

10/2017

[REDACTED] (When completed)

1st January 2019 02:40 hours

At 02:40 hours on 1st January, uniform Police officers were dealing with an unrelated matter outside Déjà Vu, when they observed, SIA door staff ejecting a number of people from the premises. This appeared to follow an incident which had taken place between 2 males while inside the bar.

One of the males involved, was heard shouting "Come on, let's have it" at the door supervisor while being pushed away. The police officers then intervened removing the male from the immediate area advising him to go home. Whilst the officers were dealing with this male, a second male approached them and was promptly head butted in the face and punched by the first male. The victim appeared to have a cut to his lip which was bleeding. The assailant was arrested and taken to custody where he was given a formal police caution for affray. It was noted by the officers that suspect appeared to be 'highly intoxicated'.

WITNESS STATEMENT

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

URN

[Empty box for URN]

Occurrence Number: 47190000123

Statement of: DECLAN LESLIE

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

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: [Signature] #CL578 LESLIE, D.

Date: 01/01/2019 06:22

Tick if witness evidence is visually recorded

I am a Police Constable employed by Sussex Police and I currently work at Crawley Police station. My warrant number is CL578. On Tuesday 1st January 2019, I was on duty in full uniform crewed with PC PHIPPS CP377, PC GOATER DG071 and PC MILES CM575.

At approximately 0300 I was on the High Street, Crawley dealing with an incident outside DE JA VU bar, at the top of the High Street. I noticed door staff to DE JA VU eject two males from the bar who appeared to be shouting. I saw one of the males, who I now know as Z S shouting at the door staff. I went over to assist them as he appeared quite agitated. I heard S say to the door staff member something along the lines of "COME ON THEN, LETS HAVE IT". I decided to intervene by pushing S away down the High Street. I suspected, by S's aggressive behaviour, he would act aggressively towards the door staff. As I was pushing S back he continued to shout and swear at me. An unknown male approached us and I asked him to move away. S immediately head-butted the male to the face and punched him with a clenched fist with his right hand. This made contact with the unknown male.

PC MILES, PC SMART DS380 and I took S to the floor and I applied handcuffs to the rear.

At 03:05 I said to S "I AM ARRESTING YOU FOR AFFRAY". I then gave CAUTION. After caution S continued to say things along the lines of "HE CALLED MY MUM A SLAG SO I HEAD BUTTED HIM" "THAT'S WHAT YOU WOULD DO IF SOMEONE CALLED YOUR MUM A SLAG" "IM STICKING UP FOR MY MUM". He also said other things which I cannot recall.

I transported S to Crawley custody where his detention was authorised.

The whole incident was captured on my body worn video camera and captures S assaulting the unknown male. I have downloaded this and will exhibit it as;

WITNESS STATEMENT

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

URN

Occurrence Number: 47190000123

Statement of: SARAH SMART

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

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:  #DS380 SMART, S.

Date: 01/01/2019 06:53

Tick if witness evidence is visually recorded

On 1st January 2018 I was on duty in full uniform with PC KING CK171 in a marked police vehicle, call-sign WR106.

At approximately 0240 hours we were called to an incident outside Dejavu in Crawley High Street. We arrived on scene and there were a lot of people outside the venue. I deployed my BWV.

A male and female were arguing with one of the door staff, so I moved in their direction to monitor the situation. I now know this male to be Z [REDACTED] S [REDACTED]. The female party claimed to be his mother.

I can describe S [REDACTED] as a white male, approximately 5'8 and skinny build. He had blond hair which was curly on the top and shaved at the sides. He was wearing a white coloured top and what I believe to be blue jeans.

S [REDACTED] and the female then began to move away from the venue and I looked like they were going to leave the area. I followed along with PC LESLIE CL578, and as we did so, a male appeared beside me to my left hand side.

As I turned to speak to the male, who I can describe as an Asian male, approximately 5'10 and medium build. He had short shaved black hair and some stubble. I cannot remember what he was wearing however I did notice that he had a small cut to his bottom lip.

As I turned to speak to the male, S [REDACTED] ran towards the other male brushing past the front of me as he did so. I moved in order to try and intervene and S [REDACTED] jumped and threw a punch at the male. He hit the male to the face with what looked to me to be a closed fist.

S [REDACTED] has then forcefully head-butted the other male to the face. At this point I knew that S [REDACTED] needed to be restrained to prevent any further harm. For this reason I pushed S [REDACTED] away from the male but he was still attempting to force his way back.

I then placed my arm around S [REDACTED]'s right shoulder and took hold of his left hand. I attempted to use a take down to put the male on the floor. I also shouted for S [REDACTED] to get on the floor but he did not comply.

PC MILES then came to assist me with restraining S [REDACTED] who was still aggressively resisting and tensing up, I believed he was trying to break free from my grip to attempt to assault the male further. All three of us then went to the ground and were quickly surrounded by S [REDACTED]'s friends and family who also needed to be told repeatedly to get back.

I then held on to both S [REDACTED]'s hand once he was on the ground. I was on his left hand side and I pinned both of his hands to the floor until PC MILES was able to take one of his hands and place it behind his back. At that point I placed my right knee onto S [REDACTED]'s left shoulder to ensure he remained on the floor.

PC LESLIE CL578 then handcuffed S [REDACTED] to the rear and he was transported to Crawley Custody where his detention was authorised.

Whilst walking to the police vehicle, S [REDACTED] stated on BWV 'HE CALLED MY MUM A SLAG, SO YES I HEADBUTTED HIM- WHAT WOULD YOU DO?' or words to those affect.

The whole incident lasted approximately 5 minutes and at most times I had a clear and unobstructed view of S [REDACTED]. He assaulted the male right in front of me and they were both within touching distance of me at the time of the assault.

The High Street was street light lit and there were a lot of members of the public and also police in the area at the time, but this did not deter S [REDACTED] and he continued to shout abusive remarks and actively resist officers until he was moved to his feet.

When I returned to Crawley Police Station I downloaded my BWV which I can exhibit as:

SS/01- BWV PC SMART DS380.

6th January 2019 01:29 hours

At 01:29 hours PC Jones was on duty when he observed three females running along Crawley High Street. Approximately 15 minutes later at 01:45 hours PC Jones conducted a licensing visit at Déjà Vu and noted that the three females were now inside the premises. PC Jones was aware that the premises has a condition attached to the licence which prevents re-entry after 01:00 hours [at Annex 2 condition (9) see 28th September 2018]

This breach was pointed out to the general manager and the relevant CCTV footage requested. PC Jones was informed that it was not possible to assist him. The officer then informed staff that he would return at 03:00 hours to collect it. On his return at 03:00 hours Mr. Samaroo had attended the premises and a DVD of the footage was handed to PC Jones.

When PC Jones viewed the footage it became apparent that this was not footage from the CCTV system but a copy of a mobile 'phone download which had been recorded at double speed.

Mr. Samaroo was emailed advising him of this shortcoming.

12th January 2019 01:18 hours

PC Jones was on duty in uniform in Crawley High Street adjacent to Déjà Vu and when he noted a well-built male, wearing distinctive clothing, approach the premises in the company of a female. They appeared to be refused entry to the premises and continued around the corner. At 01:58 hours PC Jones entered the premises whereby he identified the same male and female inside the premises. A request was made for CCTV for all entrances including the fire escape at the rear of the premises for the period of time in question. As the DPS was not present this request was made via the head door supervisor specifying the breach of the premises licence as the reason.

12th January 2019

PC Jones visited Déjà Vu to collect the CCTV footage for the incidents of both 6th and 12th January 2019. Unfortunately the CCTV footage for 6th January would not play. No footage was provided for 12th January 2019.

13th January 2019

PC Jones again visited Déjà Vu to collect the CCTV footage for both 6th and 12th January 2019. Again despite assurances to the contrary, the CCTV for 6th would not play and again it contained no footage for 12th January 2019.

14th January 2019 at 20:00 hours

PC Jones attended Déjà Vu to collect the CCTV footage for both 6th and 12th January 2019. The member of staff dealing with this stated he had just awoken so had not yet addressed the problem. PC Jones returned to the premises an hour later. The DPS Mr. Samaroo was present and provided a USB stick which apparently held the required data. PC Jones asked for this to be checked prior to him leaving the premises. No video files were present on the stick.

PC Jones informed Mr. Samaroo that if this was not provided by the time the next police officer visited a Closure Notice under Section 19 of Criminal Justice & Police Act 2001 would be issued. Assurances were given that it would be ready by 22:00 hours that day. At 23:25 hours the premises were visited and footage was still being downloaded. An evidence bag was provided for it to be delivered to the Police Station.

18th January 2019

PC Jones checked the footage supplied. While some cameras had been downloaded none of those covering the rear or the outside of the premises had been provided.

29th January 2019

Mr. Samaroo was emailed regarding the missing CCTV. An email reply was received asking for all USB sticks to be returned. PC Jones confirmed these had previously been returned and that the one outstanding would be returned the following day.

30th January 2019

On 30th January a member of staff from the premises informed PC Jones that it would take a further 11 hours to download the requested CCTV footage. At 22:39 hours PC Jones received a message from the premises staff requesting he provide any original footage so that it could be converted. PC Jones confirmed that all the footage had been returned to the premises. Mr. Samaroo later called to say that an engineer would be called out and requested PC Jones be present at 3pm the following afternoon. As PC Jones would not be on duty at that time this was not possible, however he agreed to attend in the evening to collect the footage.

1st February 2019

Mr. Samaroo emailed PC Jones. Unfortunately, he was now unable to provide the remaining footage as it had been over written. He apologised for the "inept way that the CCTV was provided" stating that the CCTV system was old and needed to be replaced

Jones Warren CJ903

From: Jones Warren CJ903
Sent: 09 January 2019 10:42
To: [REDACTED].com'
Cc: WS_Licensing_WOR; 'Lyons, Michael'
Subject: Deja Vu - CCTV 6/1/19

Importance: High

Tracking:

Recipient	Read
[REDACTED].com'	
WS_Licensing_WOR	
'Lyons, Michael'	
Godfrey Clare 37110	Read: 09/01/2019 10:49

Good morning Noel,

I have just reviewed the CCTV that was provided to me on Sunday morning.

The footage provided appears to be a mobile phone recording of the CCTV monitor at the premises, and not the actual CCTV footage itself. The footage provided is of multiple screens running at double speed, and is so small that it is not possible to make out the time and date stamps clearly.

I am afraid that this not satisfactory provision of the CCTV footage requested, and would ask that the actual footage is downloaded to disc or usb, as requested. Please let me know when it is ready, and I will arrange for it to be collected.

Kind regards,

Warren



Warren Jones

Constable CJ903

Prevention Licensing Team | West Sussex Police

Hurst Road | Horsham | RH12 2DJ

Tel No: 101 ext 530353 | Mobile: 07780 227415

warren.jones@sussex.pnn.police.uk

Jones Warren CJ903

From: [REDACTED].com
Sent: 09 January 2019 10:52
To: Jones Warren CJ903
Subject: Re: Deja Vu - CCTV 6/1/19

Hi Warren,

I did not personally view the CCTV footage after it was downloaded so I can only apologise for the unsatisfactory download you received.

As you are aware I am away until Friday but I have left instructions as per your request this will be completed today as soon as I get confirmation that it has been done I will contact you so that it can be collected.

Kind Regards

Noel

Sent from my iPhone

On 9 Jan 2019, at 10:41, <Warren.jones@sussex.pnn.police.uk> <Warren.jones@sussex.pnn.police.uk> wrote:

Good morning Noel,

I have just reviewed the CCTV that was provided to me on Sunday morning.

The footage provided appears to be a mobile phone recording of the CCTV monitor at the premises, and not the actual CCTV footage itself. The footage provided is of multiple screens running at double speed, and is so small that it is not possible to make out the time and date stamps clearly.

I am afraid that this not satisfactory provision of the CCTV footage requested, and would ask that the actual footage is downloaded to disc or usb, as requested. Please let me know when it is ready, and I will arrange for it to be collected.

Kind regards,

Warren

<image001.png>

Warren Jones
Constable CJ903
Prevention Licensing Team | West Sussex Police
Hurst Road | Horsham | RH12 2DJ
Tel No: 101 ext 530353 | Mobile: 07780 227415
warren.jones@sussex.pnn.police.uk

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We want to know your views - see what's new and give us your feedback and suggestions at www.sussex.police.uk

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Jones Warren CJ903

From: Noel Samaroo [REDACTED]@com>
Sent: 09 January 2019 11:40
To: Jones Warren CJ903
Subject: RE: Deja Vu - CCTV 6/1/19

4 Thank you Warren,
I will be in touch shortly

Kind regards
Noel



Noel A Samaroo (MIoL)
Licensing Consultant
NTAD CONSULTANTS LTD
M: [REDACTED]
E: [REDACTED]@k
W: [REDACTED]@k

Address:
Noel A Samaroo (MIoL)
NTAD CONSULTANTS Ltd
 [REDACTED]
CRAWLEY
WEST SUSSEX
 [REDACTED]

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From: Warren.jones@sussex.pnn.police.uk
Sent: 09 January 2019 10:54
To: [REDACTED]@om
Subject: RE: Deja Vu - CCTV 6/1/19

3 Hi Noel,

Thank you for your prompt response and actions, particularly as you are away.

I hope you have a pleasant trip in the circumstances.

Kind regards,

Jones Warren CJ903

From: Deja-Vu-bar <[REDACTED]@ar.co.uk>
Sent: 09 January 2019 17:24
To: Jones Warren CJ903; mike.lyons@crawley.gov.uk
Subject: RE: Deja Vu - CCTV 6/1/19

Hi warren,

It is proving to be quite a task to fulfil your request that we download footage from all of our 18 cameras from 01:00 until 03:00 it will take 8 hours to download and use 170GB of data at a cost of £90.00 For a memory stick or sticks.

We are happy to do it but it will take a little longer to complete.

The alternative is to download the Digital internal cameras on to one drive and the two external door cameras onto a second drive.

Please let me know how you wish us to proceed.

Kind regards

Noel

Sent from my iPhone

Jones Warren CJ903

From: Jones Warren CJ903
Sent: 10 January 2019 08:25
To: 'Deja-Vu-bar'; mike.lyons@crawley.gov.uk
Subject: RE: Deja Vu - CCTV 6/1/19

Hi Noel,

That amount of data clearly goes beyond what is required in this case, so will not be required.

If you can provide the footage covering the entrance, both externally and internally, from between 0045 and 0145 hrs, that will be sufficient.

6 Thank you for keeping me updated.

Kind regards,

Warren

Warren Jones

Constable CJ903
Prevention Licensing Team | West Sussex Police

Hurst Road | Horsham | RH12 2DJ
Tel No: 101 ext 530353 | Mobile: 07780 227415 warren.jones@sussex.pnn.police.uk

-----Original Message-----

From: Deja-Vu-bar [mailto:████████████████████]
Sent: 09 January 2019 17:24
To: Jones Warren CJ903 <Warren.jones@sussex.pnn.police.uk>; mike.lyons@crawley.gov.uk
Subject: RE: Deja Vu - CCTV 6/1/19

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We are happy to do it but it will take a little longer to complete.

The alternative is to download the Digital internal cameras on to one drive and the two external door cameras onto a second drive.

Please let me know how you wish us to proceed.

Kind regards

Noel

Sent from my iPhone

Jones Warren CJ903

From: Jones Warren CJ903
Sent: 29 January 2019 08:25
To: 'Deja-Vu-bar'
Cc: 'WS_Licensing_WOR'; 'Lyons, Michael'
Subject: CCTV

Importance: High

Good morning Noel,

Thank you for dropping off the CCTV as discussed. I have now had a chance to review it.

For the incident on the 6th January 2019, I still require footage from the external cameras that cover the approach to the front door. I would be grateful if you could provide me with footage from the relevant cameras between 0100-0200hrs.

For the incident on the 12th January 2019, whilst you have provided the footage from the camera above the booths, I do still require the footage from the external cameras covering the approach to the front door, and the internal camera that looks into the rear storage area where the rear access door is situated. Again, I would be grateful if you could provide me with footage from the relevant cameras between 0100-0200hrs.

For info, since you included the media player with the last CCTV footage, the MP4 files do now display. However the files recorded under media type H264, do not play on our systems.

For the above footage requests, and moving forward for any further requests from my colleagues at Crawley Police Station, could I please ask that they are provided in MP4 format, with the media player also included.

I would be grateful if the above requests could be actioned as a priority, and if you can let me know when the footage is available, I will attend to collect it.

Kind regards,

Warren



Warren Jones

Constable CJ903

Prevention Licensing Team | West Sussex Police

Hurst Road | Horsham | RH12 2DJ

Tel No: 101 ext 530353 | Mobile: 07780 227415

warren.jones@sussex.pnn.police.uk

Jones Warren CJ903

From: Deja-Vu-bar [REDACTED] <>
Sent: 29 January 2019 11:13
To: Jones Warren CJ903
Cc: licensing@ Crawley.gov.uk
Subject: Re: CCTV

Hi Warren welcome back I hope your Holiday was enjoyable with no incidents.

Thank you for your email request for further CCTV footage we will prepare this for you ASAP and let you know when it is ready for you to collect or I can drop it over to you at Horsham.

On another note I felt that before you went away you had become a little frustrated to say the least with the CCTV situation.

As you are aware I have always wanted to cooperate fully with you and all of the Responsible Authorities and I am wondering if a meeting with you to discuss any concerns you may have and anything we can do to improve our overall operating procedures.

Kind Regards

Noel

Sent from my iPhone

On 29 Jan 2019, at 08:24, <Warren.jones@sussex.pnn.police.uk> <Warren.jones@sussex.pnn.police.uk> wrote:

Good morning Noel,

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I would be grateful if the above requests could be actioned as a priority, and if you can let me know when the footage is available, I will attend to collect it.

Kind regards,

Warren

<image001.png>

Warren Jones
Constable CJ903

Jones Warren CJ903

From: Jones Warren CJ903
Sent: 30 January 2019 08:24
To: Noel Samaroo
Subject: Re: DEJA VU - USB STICK

Good morning Noel,

I only have the White USB stick which you delivered to Horsham police station. All others were returned previously as they were of no evidential value.

I have copied the data from the White USB stick and will look to return it later today, depending on other commitments.

Kind regards,

Warren

Sent from Samsung Mobile on O2

----- Original message -----

From: Noel Samaroo <[REDACTED]@sussex.pnn.police.uk>
Date: 29/01/2019 18:45 (GMT+00:00)
To: Jones Warren CJ903 <Warren.jones@sussex.pnn.police.uk>
Subject: DEJA VU - USB STICK

Dear Warren,

Would it be possible to return the USB memory sticks that have been supplied as they are very expensive because of the large amount of data to be downloaded, we can then use them to upload all the new data as per your request.

Kind Regards
Noel

Sent from Mail for Windows 10



Virus-free. www.avg.com

Jones Warren CJ903

From: Jones Warren CJ903
Sent: 30 January 2019 15:12
To: b[REDACTED].com
Subject: Fwd: CCTV

Importance: High

Hi Brandon,

As discussed.

Warren

Sent from Samsung Mobile on O2

----- Original message -----

From: Jones Warren CJ903 <Warren.jones@sussex.pnn.police.uk>
Date: 29/01/2019 08:24 (GMT+00:00)
To: 'Deja-Vu-bar' <[REDACTED].uk>
Cc: 'WS_Licensing_WOR' <WS_Licensing_WOR@sussex.pnn.police.uk>, "Lyons, Michael" <Michael.Lyons@crawley.gov.uk>
Subject: CCTV

Good morning Noel,

Thank you for dropping off the CCTV as discussed. I have now had a chance to review it.

For the incident on the 6th January 2019, I still require footage from the external cameras that cover the approach to the front door. I would be grateful if you could provide me with footage from the relevant cameras between 0100-0200hrs.

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I would be grateful if the above requests could be actioned as a priority, and if you can let me know when the footage is available, I will attend to collect it.

Kind regards,

Warren

Jones Warren CJ903

From: Noel Samaroo <[REDACTED]>
Sent: 01 February 2019 20:09
To: Jones Warren CJ903
Cc: mike.lyons@crawley.gov.uk; S1Ssoutheast[REDACTED].com; Karen Methven
Subject: DEJA VU BAR - CCTV REQUEST

12
Dear Warren,

Firstly, please accept my sincere apologies for the inept way that the CCTV was provided on your initial request on the 6th of Jan 2019.

As you are aware, we inherited an old analogue system when we took over the premises back in Feb 17. We upgraded to a new digital system in September 17 with new cameras and hard drive that covered the main bar area.

We left the old system in place and added an additional 6 cameras to cover the outside area and the rear fire escape area.

This gave us a full view of all the areas of the premises, public and private.

We have assisted the police on many occasions by providing CCTV footage and have had no complaints regarding the quality of the video provided, so it came as some surprise to us when you reported to us that the video provided to you was either unreadable or of not sufficient quality.

As you know we have worked tirelessly to correct this for you which we have now achieved however whilst doing this to provide you with better quality video we unintentionally changed some settings that we were not aware of until your new request for additional footage of the 6th and 12th Jan was requested.

We called in our engineer /CCTV installer and invited you to be present to ensure that you would be satisfied that nothing intentional was done as hamper your investigation.

Unfortunately, the engineer has informed us that all footage has been lost due to the Frame Rate (FPS) was increased this reduced the amount of storage that the hard drive had and overwrote everything prior to 16th Jan 19.

We have booked a full overhaul of the old CCTV system and to install new digital cameras to cover all the areas of the old system.

I realise that this will cause some frustration, but I can assure you that nothing has been done intentionally.

I would like to meet with you to discuss this matter further and to assure you that you can rely on our full co operation in all licencing matters regarding Déjà vu.

Additionally, we have removed the person that was responsible for our CCTV and replaced him with someone that is more experienced.

We have also put in place new protocols for supplying CCTV footage, Regular maintenance and operation of the system as well as the documenting and storage of any downloaded video.

The whole system digital and analogue is now working and recording for a min of 31 days.

Kind Regards

Day Saturday 1118812 Date 05 / 01 / 2019

Door Supervisors on Duty

Name	Badge No.	Expiry Date	Time on	Time off	Signature
M. Wisniewski	10127204 94130127	07/20	21:00	03:00	[Redacted]
R. Simmonds	10163165 3665396	01/20	21:00		[Redacted]
E. SUSZEK	10164486 04656090	03/20	22:00	3:00	[Redacted]
B. MYCA	10158053 8053 2664	09/21	22:00	3:00	[Redacted]
S. Pohl	10140736 86817660	11/20	22:00	2:00	[Redacted]

Fire Exit Check I confirm that all fire exits are clear and unobstructed by any obstacle

Time Checked	Initials	Time	Initials	Time	Initials
Start of Shift		22:30	PS	01:30	
20:00		23:00	BM	02:00	
20:30		23:30	BM	02:30	
21:00	PS	00:00	BM	03:00	
21:30	PS	00:30		03:30	
22:00	PS	01:00		04:00	

Capacity Check Log

Time	In	Out	Net	Time	In	Out	Net	Time	In	Out	Net
19:30				22:30	-	-	-	01:30	-	-	-
20:00				23:00	50	16	34	02:00			
20:30				23:30	-	-	-	02:30	-	-	-
21:00	8	0	8	00:00	24	41	33	03:00			
21:30	-	-	-	00:30	-	-	-	03:30			
22:00	23	3	20	01:00				04:00			

Floor / Toilet Check Log Floor & Toilet Areas check for spillages / glass every day at the following times, and any hazards reported to Duty Manager for action.

Time	Initial	Time	Initial	Time	Initial
19:30		22:30	PS	01:30	
20:00		23:00	BM	02:00	
20:30		23:30	BM	02:30	
21:00	PS	00:00	BM	03:00	
21:30	PS	00:30		03:30	
22:00	PS	01:00		04:00	

Enforcement Visit Log	Time of Visit	Details of Visit / Action Taken	AM Informed

All incidents must be recorded. Where an incident may lead to further action, for example an accident or injury to a customer or team member it is crucial that any Company incident reporting procedure is followed in full, that all relevant details are recorded, and CCTV retained at site to assist investigation.

Where there are no incidents on any date please ensure that the log clearly shows that this is the case and that it is not left blank

Time	Type of Incident	Details & Action Taken (Note if police / ambulance called)	Name / Badge No.	Signature	Review
21:57	Assault	IC1 - male			

Refusals at door:

Drunk:

No I.D:

Daily Sign off - "I confirm all incidents have been recorded and all information is correct"	✓	Signature
Head Doorman (if door team on duty)		
Duty Manager		

9th March 2019 Sub-Judice

This incident relates to person(s) who having been drinking and dancing at the premises and were later involved in an incident concerning an allegation of sexual assault. The concerns for Sussex Police are the intoxication levels of the person(s) while at the premises. Furthermore, while some CCTV footage has been provided, this transpired to be incomplete, and not in a viewable format. This has hampered the investigating officers' enquiries. **(Further details cannot be provided as the case remains sub-judice).**

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25th March 2019

A Meeting was held at Horsham Police Station to discuss a number of concerns held by Sussex Police regarding the management of Déjà Vu. The meeting was attended by PC CJ903 Jones and Pauline Giddings, Divisional Licensing Officer, of the Neighbourhood Licensing Team and Mr. Samaroo the DPS and PLH of the premises. Mr. Samaroo agreed that an inordinate amount of police time had been spent endeavouring to secure CCTV footage from the premises.

Jones Warren CJ903

From: Jones Warren CJ903
Sent: 25 March 2019 19:09
To: 'Deja-Vu-bar'
Cc: WS_Licensing_WOR; Lyons, Michael
Subject: Meeting summary
Attachments: Deja Vu meeting summary 25032019.pdf

Good evening Noel,

Please find attached, a summary of today's meeting.

If you have any questions over the content, please do not hesitate to contact myself or Pauline Giddings, otherwise I look forward to receiving your response.

Regards,

Warren



Warren Jones
Constable CJ903
Prevention Licensing Team | West Sussex Police
Hurst Road | Horsham | RH12 2DJ
Tel No: 101 ext 530353 | Mobile: 07780 227415
warren.jones@sussex.pnn.police.uk



Sussex Police
Serving Sussex

www.sussex.police.uk

Neighbourhood Licensing Team

25th March 2019

Déjà Vu Clubs Ltd
[REDACTED]

Southgate
Crawley [REDACTED]

Dear Mr Samaroo,

Déjà Vu Bar 26 High Street Crawley RH10 1BW

Thank you for attending Horsham Police Station today for a meeting with PC CJ903 Jones and Pauline Giddings, Divisional Licensing Officer, of the Neighbourhood Licensing Team.

The meeting was sought to discuss a number of concerns pertaining to the premises Déjà vu; for which you are both the Premises Licence Holder (PLH) and the Designated Premises Supervisor (DPS).

Following introductions you were asked if you knew why the meeting was called. You stated that you knew that the problem around the CCTV had been poorly handled but that a new system would prevent this recurring and that staff had been spoken to about it.

It was agreed that the CCTV problem had wasted an inordinate amount of Sussex Police's time. You stated that the person you thought was capable of handling the CCTV system clearly was not able to do so. You said that your head door supervisor was better equipped and would be handling this in future. You also stated that your sister was taking her BII exam and would be applying for a personal licence. She would then assume the role of General Manager.

You were reminded that it is a condition of the premises licence, at **Annex 2 condition (2)**:

- *Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.*
 - *The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.*
 - *CCTV footage will be stored for a minimum of 31 days*
 - *The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.*
 - *The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.*
 - *Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.*

Sussex Police
Centenary House, Durrington Lane, Worthing, West
Sussex, BN13 2PQ

Telephone: 01273 404030

You went on to say that you were aware of the three girls who had been readmitted after 01:00 hours on the 6th January but that they had been in the premises earlier; they had then been served drinks but had gone out to get money to pay for them. This had been recorded by the door supervisor who let them back in. You also explained that you had looked at CCTV and had not seen any evidence of a male being allowed to enter from the rear of the premises after 01:00 hours on the 12th January.

As you are aware entry or re-entry to the premises is restricted by the condition attached to the premises licence which clearly states at **Annex 2 condition (9)**:

No customers are permitted entry or re-entry to the premises after 01:00 save for smokers using the designated smoking area.

[The detailed history behind these incidents is reproduced below for convenience*].

At this point PC Jones indicated that it would be useful to view the CCTV footage.

The CCTV of the 6th January clearly shows the three females entering the premises after 01:00 hours. No challenge is made as they pass a number of door supervisors. They later leave the premises and again return unchallenged. You stated that this was to pay for their drinks however the females twice entered the premises after 01:00 hours; it was explained the condition attached to the licence does not provide discretionary exceptions.

Having viewed the CCTV footage of 12th January 2019; where a well built and easily noticeable male clearly gained access via the rear of the premises, you were incredulous. You admitted you had not examined the CCTV but had trusted the word of your head door supervisor who had told you he had checked it. Having been adamant that nobody had gained entry via the fire exit, you were clearly disappointed to see that, not only was this not the case, but that a number of staff members were present when he had. The male and his female companion having been refused entry via the front of the club, were welcomed by a variety of persons having some minutes later managed to gain entry. PC Jones confirmed that two of your staff, including your head door supervisor had told him on the night that the male was a staff member. You stated this was not the case.

You identified four members of door staff on duty at the premises, saying that you employed a lot of door supervisors for a small premises. It was agreed that it was not the quantity that was the issue. You also asserted that the male who had allowed access through the fire exit could not be allowed to stay in your employment, particularly as his efforts at producing the CCTV footage had reflected so badly on the management of the club. It was suggested to you however, that Sussex Police believed the accounts of these incidents, as given by differing staff members, to both you and to the police, were clearly inaccurate. It was considered highly improbable that in a premises the size of Déjà Vu, a well-built male entering the premises would go unnoticed by all the SIA trained door supervisors. The fact that attempts made by a police officer to obtain the CCTV footage were impeded by various staff members was also a matter of concern. You reiterated that you were shocked that your head doorman had told you no incident had occurred where a person had gained entry. PC Jones stated that, it would seem the staff have all let you down.

Discussion followed and it was suggested that Body Worn Video cameras should be worn by all SIA door staff employed at the entrance of the premises and that this should be a condition attached to the premises licence. This would ensure footage was available and would provide a record of any verbal exchange taking place. It was also discussed that SIA door supervisors were still difficult to identify as they were not wearing any identifying/Hi-Viz. You said they did while outside but you would ensure they did inside also.

It was clear that you understood the seriousness of the situation. All stages of a stepped approach had now been taken to engage and work with you the premises licence holder to ensure the licensing objectives are promoted.

You were reminded that as the Premises Licence Holder and Designated Premises Supervisor you are responsible for the lawful conduct of this premises and for ensuring it is run in accordance both with the premises licence and with the Licensing Act 2003.

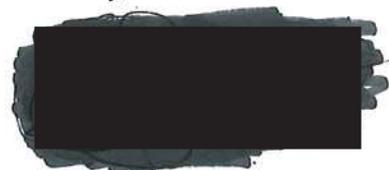
Further breaches of the conditions of your premises licence may result in legal action without further notice; this may place the premises licence at risk.

Sussex Police take this opportunity to remind you that it is a criminal offence under the Licensing Act 2003 to carry on licensable activity from any premises in breach of the conditions of the licence. The maximum penalty on conviction is six months imprisonment and/or an unlimited fine.

Please respond in writing to this office, within 7 days of the date on this letter, confirming what steps you have put in place and what ongoing actions you are taking to rectify the issues raised.

If you wish to discuss or do not understand any part of this letter please do not hesitate to contact this office.

Sincerely,



Warren Jones
Police Constable CJ903

West Sussex Neighbourhood Licensing Team
Police station Hurst Road Horsham West Sussex RH12 2DJ
Tel 101 x 530353
Warren.jones@sussex.pnn.police.uk
WS_Licensing_WOR@sussex.pnn.police.uk

.....

History of events surrounding 6th & 12th January 2019

*On **6th January 2019 at 01:29 hours** PC Jones witnessed three females running along Crawley High Street. At 01:45 PC Jones conducted a licensing visit to Déjà vu and noted that the three females were inside the premises. As you are aware the premises has a condition attached to the licence which clearly states at Annex 2 condition (9):

No customers are permitted entry or re-entry to the premises after 01:00 save for smokers using the designated smoking area.

This breach was pointed out to "Brandon", who you have stated was your general manager at the time, and the CCTV requested. PC Jones was told this was not possible however, he informed the staff he would return at 03:00 to collect it. On his return at 03:00 hours you had attended the premises and a DVD of the footage was handed to PC Jones. On inspection it transpired this was not footage from the CCTV system but a copy of a mobile phone download recorded at double speed. You were emailed advising of this failing.

On **12th January 2019 at 01:18 hours** PC Jones was on duty in uniform in Crawley High Street and witnessed a well-built male wearing distinctive clothing approaching with a female. They appeared to be refused entry to your premises and continued around the corner. At 01:58 hours PC Jones entered the premises where by he identified the same male and female inside the premises. A request was made for CCTV for all entrances including the fire escape at the rear of the premises for the period of time in question. As the DPS was not present the request was made via the head door supervisor regarding this breach of the premises licence.

On **12th January 2019** PC Jones visited Déjà vu to collect the CCTV footage for both 6th and 12th January 2019. The CCTV for 6th would not play and no footage was provided for 12th January 2019.

On **13th January 2019** PC Jones again visited Déjà vu to collect the CCTV footage for both 6th and 12th January 2019. Again despite assurances to the contrary, the CCTV for 6th would not play and again it contained no footage for 12th January 2019.

On **14th January 2019 at 20:00 hours** PC Jones attended Déjà vu to collect the CCTV footage for both 6th and 12th January 2019. The member of staff dealing with this stated he had just awoken so had not yet addressed the problem. PC Jones returned to the premises an hour later. The DPS MR Samaroo was present and provided a USB stick which apparently held the required data. PC Jones asked for this to be checked prior to him leaving the premises. No video files were present on the stick. PC Jones informed Mr Samaroo that if this was not provided by the time the next police officer visited a Closure Notice under Section 19 of Criminal Justice & Police Act 2001 would be issued. Assurances were given that it would be ready by 22:00 hours that day. At 23:25 hours the premises were visited and footage was still being downloaded. An evidence bag was provided for it to be delivered to the Police Station.

18th January 2019 PC Jones checked the footage provided. While some cameras had been downloaded none of those covering the rear or the outside of the premises had been provided.

29th January 2019 Mr Samaroo emailed re the missing CCTV. A reply was received asking for all USB sticks to be returned. PC Jones confirmed these had previously been returned and that the one outstanding would be returned the following day.

30th January 2019 a member of staff from the premises informed PC Jones that it would take 11 hours to download the requested footage. At 22:39 hours PC Jones received a message requesting the original footage so that it could be converted. He was informed that all the footage had been returned to the premises. Mr Samaroo later called to say that an engineer would be called out and requested PC Jones be present at 3pm the following afternoon. As PC would not be on duty this was not possible however he agreed to attend in the evening to collect the footage.

1st February 2019 Mr Samaroo emailed PC Jones apologising for the "inept way that the CCTV was provided" It was explained that the system was old and was to be replaced. It also explained that the remaining footage could not now be provided as it had been over written.

Jones Warren CJ903

From: Noel Samaroo <[REDACTED]@uk>
Sent: 28 March 2019 15:45
To: Jones Warren CJ903
Subject: RE: Meeting summary
Attachments: image001.png

Dear Warren,

I would like to say it was a pleasure to meet with yourself and Pauline at Horsham Police Station to discuss the concerns you had regarding Deja Vu.

However it turned out to be an incredibly uncomfortable and embarrassing meeting to say the least.

I have taken on board all that was discussed along with the requests and suggestions made at the meeting to ensure that these events NEVER happen again.

The following steps have been taken:

- The member of staff that was so inept with the CCTV I now think intentionally to try and cover his tracks and lied about the events surrounding the entry through the fire escape has been dismissed with immediate effect.
- New Hi Viz has been ordered and delivered and will be worn by all door supervisors.
- An additional body worn cam has been ordered and will be worn by door supervisors whilst on duty at the front door.
- The CCTV system is in the process of being upgraded to a digital system.
- A meeting has been called with door security team where their shortfalls will be identified and a final warning to all of them will be given.

I am sure that the appropriate steps have been taken to ensure that these breaches do not happen again and would like to thank you for your proportionate response.

Kind regards
Noel

Noel A Samaroo

Deja Vu Clubs Ltd
Managing Director (MIoL)

☐ 07 [REDACTED]
✉ [REDACTED]
🌐 [REDACTED]
📍 26-30 High St, Crawley RH10 1BW



On 5th May 2019 at 01:26hrs Sub-Judice

On 5th May 2019 at 01:26 hrs police officers received a report from member of the public that a male had been assaulted and was unconscious on the floor outside Deja Vu. The male (1) had been inside the premises and, having been asked to leave, was then assaulted outside the club. A second male (2) also sustained some injury apparently while trying to assist Male (1). Both victims were transported to New East Surrey Hospital. A number of staff from the premises were arrested.

The matter remains Sub-Judice.

16th May 2019

Sussex Police received a Late Temporary Event Notice in relation to Déjà vu. It gave notice of the intention to extend the permitted hours for the sale of alcohol (on and off sales) by one hour from 02:00 to 03:00 for three nights over the late May bank holiday weekend, (25th-27th May 2019), also to increase the capacity of the smoking area. Due to the ongoing investigation into the assault of 5th May Sussex Police raised an objection to the Notice under S104 (2) of the Licensing Act 2003. Mr. Samaroo subsequently withdrew the Notice.



Sussex Police
Serving Sussex

www.sussex.police.uk

West Sussex Division

Neighbourhood Licensing Team

West Sussex Licensing Team
Centenary House
Durrington Lane
Worthing
West Sussex
BN13 2PQ

Tel: 01273 404 030

Email: WS_Licensing_WOR@sussex.pnn.police.uk

16th May 2019

Mr Mike Lyons
Alcohol & Premises Licensing
Planning & Environmental Services Dept
Town Hall
The Boulevard
CRAWLEY
RH10 1UZ

Dear Mr Jones,

RE: LATE TEMPORARY EVENT NOTICE FOR DEJA-VUE-BAR. 26 – 30 HIGH STREET, CRAWLEY, WEST SUSSEX, RH10 1BW FOR 25TH- 27TH MAY 2019.

NOTICE OF OBJECTION UNDER SECTION 104 (2) OF THE LICENSING ACT 2003

Notice of objection is hereby given on behalf of the Chief Officer of Police for Sussex for the above Temporary Event Notice (TEN) on the grounds of the prevention of crime and disorder and public safety.

The TEN advises the notice givers' intention to extend the permitted hours for the sale of alcohol (both on and off sales) by one hour from 02:00 to 03:00 for three nights over the late May bank holiday weekend, and to increase the capacity of the smoking area.

Sussex Police are currently investigating a serious incident connected to this premises where by a member of the public was the subject of an assault sustaining injuries requiring hospital

Sussex Police Headquarters
Malling House Malling, Lewes, East Sussex, BN7 2DZ

Telephone: 101 | 01273470101

treatment. This raises concerns for Sussex Police relating to crime and disorder and it is therefore considered necessary in interests of public safety to object to this Notice

The Chief Officer of Police contends that permitting the premises to be used in accordance with the notice is likely to lead to crime and disorder and a risk to public safety. We therefore ask that a Counter Notice is issued by the Licensing Authority Committee.

I confirm that a copy of this objection letter has been sent by email to the applicant and every other 'relevant person'.

Yours sincerely,



Rosemary Ross
District Commander

cc:

Premises Licence Holder:

Mr Noel Samaroo
Déjà Vu Clubs Limited
[Redacted]
Crawley
West Sussex
[Redacted]

6th June 2019 23:30 hours

On Wednesday 6th June at approximately 23:30 hours police officers were called by staff at Deja Vu requesting assistance. Members of staff had detained a male who had been into their stock room and had stole a bottle of Jack Daniels spirit. The male had been stopped by staff just outside the storeroom door with the one item in his possession. However when the police officers attended they were merely asked to escort the male from the premises, stating that they were not willing to support further action.

Having witnessed the theft, and called for police officers to attend, the staff refused to support any further action; failing to promote the licensing objective of the prevention of crime and disorder.

Please note this should read 5th June not 6th June

[Redacted] (when complete)

WITNESS STATEMENT

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

URN [] [] [] []

Statement of: PC DART CD972

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

Occupation: Police Constable CD972

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: [Redacted] CD972

Date 20/08/2019

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

On Wednesday 05th JUNE 2019 I was on full uniformed duty operating out of CRAWLEY POLICE STATION in WEST SUSSEX. I was crewed with PC WIGGLESWORTH DW112 and both officers were using the call sign WR109.

During the course of my duty I have attended a 999 call to DÉJÀ VU which is a bar in CRAWLEY HIGH STREET. The reports were a male had been stopped and detained as the staff stated he had stolen a bottle of drink. On arrival I as greeted with the manager who stated a male had been stopped for taking a bottle, kicked off and was put to the floor. The male stated he had not been non-compliant and was thrown to the floor, the area where the altercation happened and was very small. Albeit the male had already been stopped and detained and in such a small area I am unsure as to why he was thrown and pinned down on the floor. Everybody was calm and awaiting police arrival but there had been further 999 calls chasing attendance.

The staff had already got the bottle back and wanted the male removed and not to return. As always it was very quick on arrival and nobody was willing to remain and come away from the main area to help assist with police investigations. As it was a Monday night there was no door supervision, however the usual door staff that can be obstructive when police arrive happened to be close by and had managed to put the male to the floor. As the suspect was present his details were obtained and a section one search of PACE was completed. There was nothing further found on his person or his bag. Everywhere was easily accessible due to a lack of signs on the doors. Given it stated the male was kicking off and males arrived to detain him did not identify themselves as door staff or have anything identifying themselves as security. Due to nothing further being located the male was released out the front of the bar and let on his way. Another crime and file niche was created.

There are many incidents where police are called to DÉJÀ VU and turned away on arrival with lack of support. When called to a disturbance or fight as such on a weekend the staff are keen to chase police arrival but on arriving the manager is often outside to greet officers and say everything is calm and is happy to keep those responsible inside. There are often further issues with the same group but the manger is again happy to keep them inside.

The door staff are often very heavy handed and never wear any hi visibility clothing identifying themselves outside. This is an issue often raised but as of yet has not changed. The door staff are

Signature: [Redacted] CD972

Signature witnessed by: _____

MG11 5/2007

[Redacted] (when complete)



very obstructive on attending a licensing check at the premises and often halt officers at the door. On this particular incident has no identity on them and pinned the male to the floor. There are many reports of the manager on duty allowing underage males and female in, some are even his friends. This is always a hush hush set up with those involved making sure they have no messages from him to prove he has allowed them in. [REDACTED]

[Lined area for notes or additional text]



15th June 2019 23:31 hours

Sussex Police received a call from staff requesting assistance due to a group of eight males inside the premises abusing staff. They were reported as being highly intoxicated and becoming "more and more agitated". Staff raised concerns to the police that they believed a fight was about to erupt.

At approximately 23:40 hours, the premises staff then cancelled the request for police assistance, having decided to let the males remain on the premises.

(when complete)

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

URN

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Statement of: PC ANDREW BRYANT

Age if under 18: OVER (if over 18 insert 'over 18') Occupation: POLICE OFFICER
18

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

Signature: [REDACTED] CB177

Date 07/08/2019

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

I am a uniformed officer of Sussex Police based out of Crawley Police station on response.

On 15th JUNE 2019 I was on duty working a late turn shift from 1700 – 0400 hours and I was singled crewed in a marked police vehicle. At approximately 2332 hours I was asked to attend DÉJÀ VU in Crawley after reports of 8 travellers at the location becoming abusive towards staff.

I arrived on scene within a few minutes and spoke with the what I believe was the manager. He explained to me that there had been some form of altercation between a group of 8 travellers and another group inside the bar. It was then explained to me that the manager wanted to group of travellers to leave the location. I enquired with the manager whether this had been requested or not. The manager explained to me that it had not been. I then explained to the manager that they were required to do this before police got involved. The manager has then gone to do this.

After around 30 seconds two or three of the group came and spoke with myself. I would describe them as being intoxicated due to their breath smelling of intoxicating liquor, their speech was slurred and they were unsteady on their feet. I would say they were intoxicated however, not drunk. When the males spoke to me they were completely fine and were not causing any issues.

I have then been approached by the manager again whom explained to that there had been a miss understanding and the group of males would be staying at the bar. I have then explained to the manager that we cannot be called out to the bar to act as security for the rest of the night.

I have then stood other units down and had no further dealing with any involved parties.

This statement was made from my recollections of the night events. I am able to easily remember that night.

19th June 2019 23:28 hours

At 23:30 hours a 15 year old female entered Déjà vu in the company of another female. They proceeded to the bar where alcohol was purchased by the older girl for both of them. They remained on the premises until 01:52 during which time further drinks were purchased for both girls; by the older female and by some male patrons of the bar.

This incident subsequently came to the attention of Sussex Police via a family member concerned about the safety of the young & vulnerable female. (Full details cannot be provided in this document) PC Jones requested, and was provided with, CCTV footage of the incident by the premises staff. However upon viewing, it became apparent this was incomplete; an hour and a half was missing during the time the females remained on the premises. Following a second request the complete footage was provided. It is clear to see that at no time is the child asked to produce I.D. nor is any attempt made to prevent the proxy sale of alcohol for a child. No intervention, nor duty of care is apparent.

23rd June 02:46 hours

The South East Ambulance Service contacted Sussex Police to report of a male who had been involved in a fight within Déjà Vu. The male had been knocked unconscious with a bump to the head. Having regained consciousness the victim then left the scene and no further action was taken by the ambulance service. Police officers were not called to the assault by the premises staff.

Later that day (**23rd June 20:00 hours**) Pc Jones attended the premises and requested to see the CCTV footage from the assault at 02:46 hours. The footage showed people dancing on the dance floor. Following some interaction between the males, the suspect suddenly assaulted the victim, inflicting a number of blows to him, even after he has fallen to the floor. Shortly afterwards door supervisors appear and place the victim in the recovery position. The suspect was not detained and the police are not called; despite the victim losing consciousness. Ultimately the victim did not wish to engage with the police and the incident not progressed by investigating officers.

However Sussex Police are greatly concerned that a patron of the club sustained head injuries which could have been life changing. The impact of which may not have been immediately discernible. Yet no call was made to the police and no attempt was made to detain the suspect.

PC Jones raised these concerns with Mr. Samaroo, who stated that, as the victim did not want to report the matter they did not inform the police. It was explained that it is not appropriate for premises staff to decide which assaults they are going to report to the police.

While on the premises PC Jones explained to the DPS that it was a year since drug mapping was carried out at the club and offered to repeat the process. Mr. Samaroo agreed that this was a good idea.

Day Saturday 1118704 Date 22/06/19

Door Supervisors on Duty					
Name	Badge No.	Expiry Date	Time on	Time off	Signature
S. Palk	10140136 86417660	11/20	21:00	3:00	[Signature]
I. MAQUIDE	1018 7401 9446 7664	9/4/20	21:00		[Signature]
M. Wisniewski	10127909 94130137	07/20	21:00		[Signature]
T. SSENINDE	10100046 02634794	09/20	22:00	3:00	[Signature]

Fire Exit Check <i>I confirm that all fire exits are clear and unobstructed by any obstacle</i>					
Time Checked	Initials	Time	Initials	Time	Initials
Start of Shift		22:30	[Signature]	01:30	[Signature]
20:00		23:00	[Signature]	02:00	[Signature]
20:30		23:30	[Signature]	02:30	[Signature]
21:00	[Signature]	00:00	[Signature]	03:00	
21:30	[Signature]	00:30	[Signature]	03:30	
22:00	[Signature]	01:00	[Signature]	04:00	

Capacity Check Log											
Time	In	Out	Net	Time	In	Out	Net	Time	In	Out	Net
19:30				22:30	12	5	7	01:30	137	44	93
20:00				23:00	20	7	13	02:00	137	52	85
20:30				23:30	25	10	15	02:30	137	69	68
21:00	0	0	0	00:00	352	14	38	03:00			
21:30	5	5	0	00:30	104	19	85	03:30			
22:00	8	5	3	01:00	137	33	104	04:00			

Floor / Toilet Check Log <i>Floor & Toilet Areas check for spillages / glass every day at the following times, and any hazards reported to Duty Manager for action.</i>					
Time	Initial	Time	Initial	Time	Initial
19:30		22:30	[Signature]	01:30	[Signature]
20:00		23:00	[Signature]	02:00	[Signature]
20:30		23:30	[Signature]	02:30	
21:00	[Signature]	00:00	[Signature]	03:00	
21:30	[Signature]	00:30	[Signature]	03:30	
22:00	[Signature]	01:00	[Signature]	04:00	

Enforcement Visit Log	Time of Visit	Details of Visit / Action Taken	AM Informed

All incidents must be recorded. Where an incident may lead to further action, for example an accident or injury to a customer or team member it is crucial that any Company incident reporting procedure is followed in full, that all relevant details are recorded, and CCTV retained at site to assist investigation.

Where there are no incidents on any date please ensure that the log clearly shows that this is the case and that it is not left blank

Time	Type of Incident	Details & Action Taken (Note if police / ambulance called)	Name / Badge No.	Signature	Reviewed
0130	ASSAULT	ICJ mate Assaulted another ICJ male - male who was Assaulted refused medical treatment + he Did not want Police called and he left the venue He 1st male also was Ejected out. [Redacted]	1018 9601 5746 7669	[Redacted]	✓

Refusals at door:

Drunk:

No I.D:

Daily Sign off - "I confirm all incidents have been recorded and all information is correct"

✓

Signature

Date

Head Doorman (if door team on duty)

25/6/18

Duty Manager

23rd June 23:42 hours.

PC Jones emailed Mr Samaroo with the results of the earlier drugs mapping

The full set of results are attached separately but those which are considered to be high readings have been included in the body of this document. Last year's were included for ease:-

Mapping results 2018 (May)

Male toilet: cocaine – 5.81
Male toilet door: cocaine – 4.43
Female toilet 1: cocaine – 4.46
Female toilet 1 door: cocaine – 3.53
Female toilet 2: cocaine – 4.17
Disabled toilet: cocaine – 3.64
Disabled toilet door: cocaine – 4.75

Mapping results 2019 (June)

Male toilet: cocaine – 6.49
Male toilet door: cocaine – 5.70
Female toilet 1: cocaine – 4.11
Female toilet 2: cocaine – 4.25
Female toilet 3 shelf: cocaine – 3.99
Disabled toilet: not tested
Disabled toilet door: not tested

URN

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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 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 30th July 2019Tick if witness evidence is visually recorded (supply witness details on rear)

On Sunday 23rd June 2019 I was on duty in full uniform at Déjà vu, 26-32 High Street, Crawley, RH10 1BW. The Premises Licence Holder, Mr Noel SAMAROO was present, and with his permission, 16 swab samples were taken by myself, from various surfaces around the premises. I had intended to take 18 samples, to mirror samples taken on 15th May 2018, but it was not possible to access the Disabled Toilet. 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. The sample traps were subsequently 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 16 swabs are listed below, indicating where the sample was obtained, followed by the strength of any Narcotic substance detected:

MALE TOILET: COCAINE – 6.49

MALE TOILET DOOR: COCAINE – 5.70

MALE TOILET PUBLIC AREA: COCAINE – 1.65

FEMALE TOILET 1: COCAINE – 4.11

FEMALE TOILET 1 DOOR: COCAINE – 2.12



FEMALE TOILET 2: COCAINE – 4.25
FEMALE TOILET 2 DOOR: COCAINE – 1.52
FEMALE TOILET 3: COCAINE – 2.31
FEMALE TOILET 3 DOOR: COCAINE – 1.83
FEMALE TOILET 3 SHELF: COCAINE – 3.99
FEMALE TOILET PUBLIC AREA: COCAINE – 2.53
DISABLED TOILET: NOT TESTED
DISABLED TOILET DOOR: NOT TESTED
MAIN BAR: COCAINE – 2.28; HEROIN – 1.63
DJ BOOTH: NO ALARM
TABLE BEHIND DJ BOOTH: COCAINE – 1.72
REAR TABLE (RH SIDE): COCAINE – 1.40
FRONT TABLE (RH SIDE): COCAINE – 1.08

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

Jones Warren CJ903

From: Jones Warren CJ903
Sent: 23 June 2019 23:42
To: 'Deja-Vu-bar'
Cc: WS_Licensing_WOR; Giddings Pauline 64321; Lovell Robert CL740
Subject: Deja Vu
Attachments: Drug Mapping 15052018 for premises.pdf; Drug Mapping 23062019 for premises.pdf

Good evening Noel,

Thank you for coming to the club earlier to speak with me. Hopefully we were able to address some of your concerns.

Following on from our discussion regarding the assault last night. Whilst I appreciate that the victims wish was for Police not to be called, previous experience has shown that victims often change their minds post event, quite often once they have sobered up and their injuries have become more apparent or serious. This often makes the police investigation difficult, as we have no details of the suspect.

Moving forward, in all future incidents of a similar nature, where there is an identified and detained suspect, Police are to be called regardless of the victims initial wishes. It must be for the local police officers to decide what action if any is taken at that time, but at the very least it allows them the opportunity to capture essential evidence of identification etc.

As per my earlier request, I would be grateful if you could provide me with copies of the following documents:

1. Drugs Policy
2. Dispersal policy
3. List of persons authorised to sell alcohol
4. Full and dated training records for those persons

As agreed, I am happy for these to be sent electronically.

I have attached the results of the Drug Mapping that I completed whilst at the club. For comparison, I have also included the last set of results. You will see that there are some increases in levels of Cocaine contamination, particularly in several toilet cubicles. Some of the readings are extremely high, and would suggest that there remains an issue with the use of illegal drugs in the toilets of the premises.

When this was raised following last year's results, you conceded that the drugs policy needed updating, however you later retracted this, stating that you believed it was still valid. On the back of these new results, I would suggest that this is an area that needs revisiting, and I will refer you back to our earlier discussion over the searching of patrons on entry. You cannot simply rely on "knowing" your customers, and having an "understanding" about not tolerating drugs on the premises. The results show that there is a problem with illegal drugs on the premises, and that needs to be addressed as a priority.

If you have any questions regarding the results, please do not hesitate to contact me. In the meantime I look forward to receiving the above documents.

Kind regards,

Warren

Warren Jones
Constable CJ903

DÉJÀ VU, CRAWLEY – DRUG MAPPING

23rd JUNE 2019 - ITEMISER

MALE TOILET: COCAINE – 6.49

MALE TOILET DOOR: COCAINE – 5.70

MALE TOILET PUBLIC AREA: COCAINE – 1.65

FEMALE TOILET 1: COCAINE – 4.11

FEMALE TOILET 1 DOOR: COCAINE – 2.12

FEMALE TOILET 2: COCAINE – 4.25

FEMALE TOILET 2 DOOR: COCAINE – 1.52

FEMALE TOILET 3: COCAINE – 2.31

FEMALE TOILET 3 DOOR: COCAINE – 1.83

FEMALE TOILET 3 SHELF: COCAINE – 3.99

FEMALE TOILET PUBLIC AREA: COCAINE – 2.53

DISABLED TOILET: NOT TESTED

DISABLED TOILET DOOR: NOT TESTED

MAIN BAR: COCAINE – 2.28; HEROIN – 1.63

DJ BOOTH: NO ALARM

TABLE BEHIND DJ BOOTH: COCAINE – 1.72

REAR TABLE (RH SIDE): COCAINE – 1.40

FRONT TABLE (RH SIDE): COCAINE – 1.08

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.

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 vapours 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.

Reliability/Maintenance.

Looking at the real world application of this technology in areas outside the controlled laboratory environment, reliability of operation and the ability to maintain peak performance in dusty, high-traffic, or humid conditions become a concern. Downtimes due to maintenance or excessive maintenance costs become other factors of concern. Both GC-CLD and IMS are unprotected from dust, dirt, and water vapour entering the system. This is a serious problem for traditional IMS, as the dryer or desiccant requires frequent changing and leads to downtime. In addition, the contamination material can lead to a loss of sensitivity over time if it is not installed in a very clean environment. The latest ITMS systems have regenerating dryers that do not require changing and a semi-permeable membrane to protect them from dirt, dust, and humidity. GC-CLD systems require replacement of the chemical modules approximately every 3-6 months if usage is high, which can be almost as expensive as a new bench-top ITMS or IMS detector. While all three require similar sampling consumables, the GC-CLD requires gas bottle replacement on top of the consumables. The ITMS and IMS devices require dopant depending on the application.

ITMS vs. IMS Technology

Enhancements to IMS analysis through ITMS technology allow for vast improvements to ionization efficiency, and therefore sensitivity of the detector. ITMS enables extremely low concentrations of electrophilic vapours, such as explosive vapours, to be detected—impossible with traditional IMS.

The ionization chamber in the ITMS detector is a field-free region where the ion population, both negative and positive ions, is allowed to build up by the action of the beta particles on the dopant gas. With IMS and ITMS, the high density of electrons produce a high probability of ionization of the dopant gas molecules, which in turn collide with the target molecules. Electric charge is then transferred to the target molecules because of their extremely high charge affinity, and the overall result is high ionization efficiency.

Since the ITMS detector does not incorporate a shutter grid as in traditional IMS, there is no loss of ions by discharge onto the shutter grid, which could account for a loss of up to 99% of the ions. With ITMS, ions are accumulated over a 20mS interval and then compressed into a pulse of 0.2mS, increasing the density and collected current by a factor of 100 [4,5,6]. Further enhancement is made with the addition of a semi-permeable membrane that excludes dust and dirt.

This enhancement makes the system more sensitive to the materials of concern and allows continued operation and sensitivity in environments outside the lab that are high-traffic, humid, or dusty. In addition to providing a charge medium, the chemical dopant that is added into the analysis in the detector region to reduce the chances of ionizing unwanted analyte. Ammonia is the primary dopant for positive ions used in the ITMS detector, while methylene chloride is used as the dopant for negative ions. The dopants accept charge from the low-energy beta particles thereby reducing the chance of analytes with charge affinities lower than

that of the dopant to accept charge. The target contraband molecules will accept the charge more readily than the dopants due to their higher affinity for the charge. This process reduces the amount of possible interferences due to the other analytes because the detector recognizes only charged species [4,5,6]. 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 vapour sampling mode is 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 vapours 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.

References [1] J. Brokenshire, N. Pay, "Ion mobility spectrometry" in International Laboratory, Graseby Analytical Ltd, Warford, Herts, England, **1989**, p4 [2] P. Z. Jankowski, A. G. Mercado, S. F. Hallowell, "FAA Explosive Vapor/Particle Detection Technology" Proceedings "Applications of Signal and Image Processing in Explosives Detection Systems", Boston, Massachusetts, 16-17 Nov. **1992** Volume 1824, pp13-27 [3] Eiceman, G.A., Karpas, Z., Ion Mobility Spectrometry" CRC Press **1994**. [4] ITMS (U.S. Patent No. 5,200,614). [5] McGann, W.J., Jenkins, A., Ribiero, K., Napoli, J., *SPIE on Substance Detection* Vol. 2092, **1993**. [6] McGann, W.J., *SPIE on Chemistry and Biology-based Technologies For Contraband Detection*. Vol. 2937, **1996**. [7] Haigh, P.B., "Dual Mode Detection" technical presentation, GE Ion Track, Wilmington, MA, **2003**. **T E C H N I C A L P A P E R** For more information on ITMS products call, email or consult our website. 1 . 9 7 8 . 6 5 8 . 3 7 6 7 / s a l e s @ i o n t r a c k . c o m / w w w . i o n t r a c k . c o m GE Ion Track Limited

(24th 11:00 continued)

All reports will also be logged into disc and forward to the police and Pubwatch.

I will be updating our current policies and I will forward these in the next day or so.

I have also revisited the CCTV footage supplied to you last night and can see that the incident happened later than

2.30 I have downloaded footage until 03:00 and this here or I can drop it off at Horsham PS if you would prefer.

If I can be of any further assistance please do not hesitate to contact me.

Kind regards

Noel Samaroo

Deja Vu Clubs Ltd

Sent from my iPhone

On 23 Jun 2019, at 23:41, <Warren.jones@sussex.pnn.police.uk> <Warren.jones@sussex.pnn.police.uk> wrote:

Good evening Noel,

Thank you for coming to the club earlier to speak with me. Hopefully we were able to address some of your concerns.

Following on from our discussion regarding the assault last night. Whilst I appreciate that the victims wish was for Police not to be called, previous experience has shown that victims often change their minds post event, quite often once they have sobered up and their injuries have become more apparent or serious. This often makes the police investigation difficult, as we have no details of the suspect.

Moving forward, in all future incidents of a similar nature, where there is an identified and detained suspect, Police are to be called regardless of the victims initial wishes. It must be for the local police officers to decide what action if any is taken at that time, but at the very least it allows them the opportunity to capture essential evidence of identification etc.

As per my earlier request, I would be grateful if you could provide me with copies of the following documents:

1. Drugs Policy
2. Dispersal policy
3. List of persons authorised to sell alcohol
4. Full and dated training records for those persons

As agreed, I am happy for these to be sent electronically.

I have attached the results of the Drug Mapping that I completed whilst at the club. For comparison, I have also included the last set of results. You will see that there are some increases in levels of Cocaine contamination, particularly in several toilet cubicles. Some of the readings are extremely high, and would suggest that there remains an issue with the use of illegal drugs in the toilets of the premises.

When this was raised following last year's results, you conceded that the drugs policy needed updating, however you later retracted this, stating that you believed it was still valid. On the back of these new results, I would suggest that this is an area that needs revisiting, and I will refer you back to our earlier discussion over the searching of patrons on entry. You cannot simply rely on "knowing" your customers, and having an "understanding" about not tolerating drugs on the premises. The results show that there is a problem with illegal drugs on the premises, and that needs to be addressed as a priority.

If you have any questions regarding the results, please do not hesitate to contact me. In the meantime I look forward to receiving the above documents.

Kind regards,

Jones Warren CJ903

From: Jones Warren CJ903
Sent: 24 June 2019 15:04
To: 'Deja-Vu-bar'
Cc: WS_Licensing_WOR; Giddings Pauline 64321; Lovell Robert CL740
Subject: RE: Deja Vu

Importance: High

Good afternoon Noel,

3 Thank you for your prompt response.

I did try to review the CCTV the Brad provided, but once again the MP4 player had not been included on the USB. This has been the constant issue when officers have been provided CCTV, in that they cannot view it on Sussex Police systems without that software. The player was previously provided on a download some months ago, so it should be possible to include it in each set of footage provided. If you are able to get Brad to look into this as a priority I would be grateful.

I will come up to the bar later to collect the updated footage, and save you a journey to Horsham. I do also need to speak about another matter that has just been brought to my attention, and will need to obtain CCTV footage for that incident as well. I will provide details once I get to the bar.

Kind regards,

Warren

**Warren Jones**

Constable CJ903

Prevention Licensing Team | West Sussex Police

Hurst Road | Horsham | RH12 2DJ

Tel No: 101 ext 530353 | Mobile: 07780 227415

warren.jones@sussex.pnn.police.uk

From: Deja-Vu-bar [mailto:██████████@██████████.uk]
Sent: 24 June 2019 11:00
To: Jones Warren CJ903 <Warren.jones@sussex.pnn.police.uk>
Cc: WS_Licensing_WOR <WS_Licensing_WOR@sussex.pnn.police.uk>; Giddings Pauline 64321 <Pauline.Giddings@sussex.pnn.police.uk>; Lovell Robert CL740 <Robert.lovell@sussex.pnn.police.uk>
Subject: Re: Deja Vu

2 Dear Warren,

Thank you for your email I am truly disappointed with the mapping results and take the points you have raised very seriously, and will be acted upon with immediate effect.

I have called a meeting with all the staff full and part time to go over all the points you have raised.

Points that I have actioned with immediate effect are as follows:

A door supervisor will now be on duty every night to carry out Searches of all patrons entering the premises. and more regular toilet checks.

Any incidents of assault will entered into the incident book and where it is possible to detain suspects the police will be called.

May 2018

Appendix i

Jones Warren CJ903

From: Jones Warren CJ903
Sent: 16 May 2018 12:31
To: [REDACTED].uk'
Cc: WS_Licensing_WOR
Subject: Drug mapping
Attachments: Drug Mapping 15052018 for premises.pdf

Good afternoon Noel,

As promised yesterday, attached are the results from the swabs I took last night. Included is an explanation of how to interpret the readings.

You will see that there are some significant levels of narcotic contamination in certain locations, which will need addressing.

I know we discussed your drugs policy briefly last night, but could I please ask that you email me a copy of it by return, so that I can review it in detail.

If you have any questions regarding the attached results, please do not hesitate to contact me.

Kind regards,

Warren

Warren JONES
Police Constable CJ903
Neighbourhood Licensing Team, W. Sussex
Police Station, Hurst Road, Horsham, West Sussex, RH12 2DJ
Tel: 101 Ext. 530353 Mobile 07780 227415
warren.jones@sussex.pnn.police.uk

DÉJÀ VU, CRAWLEY – DRUG MAPPING**15th MAY 2018 - ITEMISER**

MALE TOILET: COCAINE – 5.81

MALE TOILET DOOR: COCAINE – 4.43

MALE TOILET PUBLIC AREA: COCAINE – 2.08

FEMALE TOILET 1: COCAINE – 4.46

FEMALE TOILET 1 DOOR: COCAINE – 3.53

FEMALE TOILET 2: COCAINE – 4.17

FEMALE TOILET 2 DOOR: COCAINE – 1.62

FEMALE TOILET 3: COCAINE – 1.18

FEMALE TOILET 3 DOOR: COCAINE – 1.89

FEMALE TOILET 3 SHELF: COCAINE – 1.49; HEROIN – 1.74

FEMALE TOILET PUBLIC AREA: NO ALARM

DISABLED TOILET: COCAINE – 3.64

DISABLED TOILET DOOR: COCAINE – 4.75

MAIN BAR: NO ALARM

DJ BOOTH: COCAINE – 1.77

TABLE BEHIND DJ BOOTH: COCAINE – 2.49; MDMA – 2.83

REAR TABLE (RH SIDE): NO ALARM

FRONT TABLE (RH SIDE): NO ALARM

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.

Jones Warren CJ903

From: DejaVu <[REDACTED].uk>
Sent: 16 May 2018 13:19
To: Jones Warren CJ903
Subject: RE: Drug mapping

Dear Warren,

Thank you very much for your email regarding the drug mapping swab test done last night. Quite frankly i am shocked at the levels indicated, In response i have called a meeting with the security team today and will be holding meetings and training with all members of staff this will form part of an internal review of our drugs policy.

If there is any advice you can give us regarding this matter to reduce this i would be most grateful.

I am however encouraged to see that the public bar area was generally clear.

2 I can only assume that the cocaine use is taking place in the toilet cubicles which as i am sure you can appreciate is difficult to police effectively,

But i am sure we can reduce this by the following.

- More effective searching at the entrance
- More regular toilet checks
- Better communication between the toilet attendance and security
- Random swab tests of the areas indicated as high on your report.

We are also going to carry out night/daily swab tests to find out if this is happening at the weekends or more during the week when we have a low level of customers and no security.

If there is anything else you can suggest we are open to your help and guidance.

Kind regards
Noel

Noel A Samaroo
Managing director
Deja Vu Clubs Ltd



Sent from Mail for Windows 10

From: Warren.jones@sussex.pnn.police.uk
Sent: 16 May 2018 12:31
To: [REDACTED].uk

Jones Warren CJ903

From: DejaVu <[REDACTED]@uk>
Sent: 16 May 2018 16:43
To: Jones Warren CJ903
Subject: RE: Drug mapping
Attachments: DRUG POLICY 2016.docx

Dear Warren,

Further to our earlier email please find attached a copy of our current drugs policy as submitted with our original application in light of recent findings this policy is now under internal review as we feel that it is no longer fit for purpose.

3) A revised policy will be sent to you in due course.

Kind regards
Noel

Noel A Samaroo
Managing director
Deja Vu Clubs Ltd

Sent from Mail for Windows 10

From: Warren.jones@sussex.pnn.police.uk
Sent: 16 May 2018 12:31
To: [REDACTED]@uk
Cc: WS Licensing WOR@sussex.pnn.police.uk
Subject: Drug mapping

Good afternoon Noel,

As promised yesterday, attached are the results from the swabs I took last night. Included is an explanation of how to interpret the readings.

1) You will see that there are some significant levels of narcotic contamination in certain locations, which will need addressing.

I know we discussed your drugs policy briefly last night, but could I please ask that you email me a copy of it by return, so that I can review it in detail.

If you have any questions regarding the attached results, please do not hesitate to contact me.

Kind regards,

Warren

Warren JONES
Police Constable CJ903
Neighbourhood Licensing Team, W. Sussex

Jones Warren CJ903

From: Jones Warren CJ903
Sent: 27 July 2018 00:16
To: 'DejaVu'
Cc: WS_Licensing_WOR; Michael.Lyons@crawley.gov.uk
Subject: RE: Drug mapping

Importance: High

Good morning Noel,

I trust this email finds you well?

As ten weeks have passed since your below email, I had hoped to have received the revised search policy for Déjà vu by now. I would be grateful if you could provide me with a copy by return email so that I can assess it both on paper, and in practice this weekend.

Kind regards,

Warren

Warren JONES
Police Constable CJ903
Neighbourhood Licensing Team, W. Sussex
Police Station, Hurst Road, Horsham, West Sussex, RH12 2DJ
Tel: 101 Ext. 530353 Mobile 07780 227415
warren.jones@sussex.pnn.police.uk

From: DejaVu [mailto: [REDACTED]@uk]
Sent: 16 May 2018 16:43
To: Jones Warren CJ903 <Warren.jones@sussex.pnn.police.uk>
Subject: RE: Drug mapping

Dear Warren,

Further to our earlier email please find attached a copy of our current drugs policy as submitted with our original application in light of recent findings this policy is now under internal review as we feel that it is no longer fit for purpose.

A revised policy will be sent to you in due course.

Kind regards
Noel

Noel A Samaroo
Managing director
Deja Vu Clubs Ltd

Sent from [Mail](#) for Windows 10

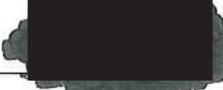
URN

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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 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:  *W. Jones*Date 30th July 2019Tick if witness evidence is visually recorded (supply witness details on rear)

On Tuesday 15th May 2018 I was on duty in full uniform at Déjà vu, 26-32 High Street, Crawley, RH10 1BW. The Premises Licence Holder, Mr Noel SAMAROO was present, and with his permission, 18 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. The sample traps were subsequently 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 18 swabs are listed below, indicating where the sample was obtained, followed by the strength of any Narcotic substance detected:

MALE TOILET: COCAINE – 5.81

MALE TOILET DOOR: COCAINE – 4.43

MALE TOILET PUBLIC AREA: COCAINE – 2.08

FEMALE TOILET 1: COCAINE – 4.46

FEMALE TOILET 1 DOOR: COCAINE – 3.53

FEMALE TOILET 2: COCAINE – 4.17

FEMALE TOILET 2 DOOR: COCAINE – 1.62
FEMALE TOILET 3: COCAINE – 1.18
FEMALE TOILET 3 DOOR: COCAINE – 1.89
FEMALE TOILET 3 SHELF: COCAINE – 1.49; HEROIN – 1.74
FEMALE TOILET PUBLIC AREA: NO ALARM
DISABLED TOILET: COCAINE – 3.64
DISABLED TOILET DOOR: COCAINE – 4.75
MAIN BAR: NO ALARM
DJ BOOTH: COCAINE – 1.77
TABLE BEHIND DJ BOOTH: COCAINE – 2.49; MDMA – 2.83
REAR TABLE (RH SIDE): NO ALARM
FRONT TABLE (RH SIDE): NO ALARM

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.

4th July 2019 23:20 hours

While on duty Pc Jones became aware that the pavement area between Déjà Vu and the road was blocked the Southern end preventing pedestrians from accessing the pavement. Tables and chairs were positioned adjacent to the front windows of the premises and the barriers along the roadway. PC Jones informed the head door supervisor, Mr. Slawomir Piatek, that these needed removing to allow members of the public to use the pavement. The door supervisor suggested that the officer should speak to the DPS first. PC Jones reminded M Piatek that the smoking area is clearly prescribed as a condition of the premises licence and should be adjacent to the premises not across the entire pavement area. Reluctantly he removed the barriers. At the time of this visit 3 members of SIA door supervisors were on duty and 7 customers.

The condition of the premises licence at Annex 2 (17) clearly states that

- *The Designated Area shall be at the front of the premises, adjacent to the entrance. This shall be clearly defined by way of substantial barriers and shall hold a maximum of 15 people at any one time. No entertainment of any sort will be permitted in the Designated Area.*

5th July 2019 00:30 hours

Just over an hour later PC Jones returned to the High Street where it immediately became apparent that the barriers had been returned to the original location. Pc Jones reiterated his previous direction to the head door supervisor. Once again he was dismissive of the officer's concerns and suggested he should speak with the DF Mr. Samaroo. However he also informed the officer that Mr. Samaroo was not actually present. PC Jones then asked to speak with the duty manager; who confirmed she had instructed the door supervisors to replace the barriers. Pc Jones explained that this was in contravention of the conditions placed upon the premises licence. In the interests of clarity the duty manager was asked to go and get the copy of the licence so that she could see clearly what her responsibilities were. The licence could not initially be found but, after a considerable time, was located in a different building along the road. Condition 17 was read out and subsequently the staff removed the barriers. Pc Jones then asked if they actually had a licence to place tables & chairs upon the highway. It was clear they did not know.

9th July 2019

PC Jones wrote to Mr Samaroo reminding him of his responsibilities under the Licensing Act 2003 and of the request made of him on **23rd June** to produce documentation, as required by the conditions attached to the premises licence. Mr Samaroo was also made aware that he is not in possession of a Highways permit and the placement of furniture on the highway without one is an offence under Section 137 and Section 149 of the Highways Act 1980.

10th July 2019

Mr Samaroo responded to the email of 9th July, attaching copies of the documents requested in June. In his apology for the delay but the explanation given was that he had been updating the drugs policy, however it was not the premises licence and could have been produced upon request. The same applied for the premises' dispersal policy. Mr Samaroo stated that most of his staff have obtained a personal licence and have been issued with copies of the operating schedule, the dispersal policy and drugs policy.

There were further explanations and queries from Mr Samaroo (email attached) regarding his confusion over the meaning of the conditions attached to the premises licence

It should be noted Mr. Samaroo has subsequently re-employed the bar staff and door supervisors who he had previously identified to Sussex Police as those he considered responsible for failings at this premises

Jones Warren CJ903

From: Jones Warren CJ903
Sent: 09 July 2019 16:27
To: [REDACTED].com'
Subject: FW: Deja Vu
Attachments: Deja Vu letter 09072019.pdf; Drug Mapping 23062019 for premises.pdf; Drug Mapping 15052018 for premises.pdf

Importance: High



Warren Jones
 Constable CJ903
 Prevention Licensing Team | West Sussex Police
 Hurst Road | Horsham | RH12 2DJ
 Tel No: 101 ext 530353 | Mobile: 07780 227415
warren.jones@sussex.pnn.police.uk

From: Jones Warren CJ903
Sent: 09 July 2019 16:23
To: 'Deja-Vu-bar' <[REDACTED].uk>
Cc: WS_Licensing_WOR <WS_Licensing_WOR@sussex.pnn.police.uk>; Giddings Pauline 64321 <Pauline.Giddings@sussex.pnn.police.uk>; Lovell Robert CL740 <Robert.lovell@sussex.pnn.police.uk>; 'Lyons, Michael' <Michael.Lyons@crawlley.gov.uk>
Subject: RE: Deja Vu
Importance: High

Good afternoon Noel,

Please find attached a number of documents in relation to Déjà vu. These are sent electronically, and no paper copied will be sent via Royal Mail etc.

If you have any question in regards to their content, please do not hesitate to email me. In the meantime I look forward to receiving your response within the timescales detailed in the attached letter.

Yours sincerely,



Warren Jones
 Constable CJ903
 Prevention Licensing Team | West Sussex Police
 Hurst Road | Horsham | RH12 2DJ
 Tel No: 101 ext 530353 | Mobile: 07780 227415
warren.jones@sussex.pnn.police.uk

From: Deja-Vu-bar [mailto:[REDACTED].co.uk]
Sent: 24 June 2019 11:00
To: Jones Warren CJ903 <Warren.jones@sussex.pnn.police.uk>

(Previously provided)
 re 23rd June '19



Noel Samaroo

Crawley
West Sussex

**Neighbourhood Licensing Team
West Sussex Division**

9th July 2019

RE: Déjà Vu Bar, 26-32 High Street, Crawley, RH10 1BW

Dear Noel,

I am writing to you in your capacity as the Designated Premises Supervisor (DPS), and officer of the Premises Licence Holder (PLH) of the above premises. The premises has been issued with Premises Licence 16/001916/LAPRE by Crawley Borough Council, authorising a number of licensable activities to take place, subject to the conditions attached to the licence.

On Sunday 23rd June 2019 I had the opportunity to speak with you at the premises, and subsequently sent you an email summarising our conversation, and requesting you provide me with a number of documents. For the purpose of clarity, these were:

1. Drugs Policy
2. Dispersal policy
3. List of persons authorised to sell alcohol
4. Full and dated training records for those persons

I also provided you with the results of the drug mapping that I undertook whilst at the club. For clarity I have attached these to this letter.

On Monday 24th June 2019, you kindly responded to my email confirming that you would be speaking to all staff about the points raised. You confirmed that with immediate effect you would employ a door supervisor every night, to conduct searches on entry, and toilet checks, to address the results of the drug mapping. You also confirmed that you were updating the premises policies, and that these would be sent to me "in the next day or so".

To date I have not received any of the requested documents.

I must draw your attention to Condition 7 of Annex 2 of the above premises licence, which states:

"The premises licence holder will produce a drugs policy which will include necessity to search customers for illegal and banned substances. This policy will be provided to Sussex Police upon request."

I must draw your attention to Condition 8 of Annex 2 of the above premises licence, which states:

"The premises licence holder will produce a dispersal policy which will detail how public nuisance and crime and disorder will be prevented when rejecting and ejecting customers. This will be made available to Sussex Police upon request."

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

Telephone: 01273 404242
101 ext 530353

I must draw your attention to Condition 4 of Annex 2 of the above premises licence, which states:

“All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regards age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to making sales of alcohol, and refresher training thereafter at intervals of no more than three months. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff. These records will be kept for a minimum of 24 months.”

It is unacceptable that despite receiving a formal request for documentation over two weeks ago, you have still failed to produce it for inspection.

At around 0035 hours on Thursday 4th July 2019, I visited the premises for the purposes of collecting some CCTV footage, and was greeted by staff member Brandon. I could see no SIA door supervisor on duty despite the assurance you provided in your email dated 24th June 2019. Brandon advised me that the member of door staff, Slav, was “On Call”, and it had been agreed that he would be called if customer numbers reached 10 or above.

At around 2320 hours on Thursday 4th July 2019, as I passed by the premises I noticed that tables and chairs had been placed up against the railings by the roadside as well as adjacent to the front windows of the premises. This had the effect of creating a walkway in between the two sets of tables and chairs. Additionally, the southern end of this walkway had been completely blocked with barriers from the premises, cutting off public access of the highway. A member of door staff Slav was present at the front of the premises, and I pointed out to him that it was not permissible to block the highway. He was clearly unhappy with this, and advised me to speak to yourself about the matter. Unfortunately you were not present, so I again advised him to remove the obstruction to the highway, which he eventually, and quite clearly reluctantly did.

Later that same night when passing by the premises, I observed that the highway was once more obstructed by the placing of barriers from the premises. On this occasion Slav refused to remove the barrier, and again instructed me to speak to you. This again was not possible as you were not present. I did however speak to member of management Debs, and a number of other staff members about the situation. Debs confirmed that she had instructed staff to position the barriers across the highway, as there had been previous issues with members of the public walking past with drinks and being confused for customers, and also from persons cycling through the walkway.

You will recall that we have discussed the size and layout of the outside area previously, confirming that it should remain adjacent to the front of the premises, and clearly delineated by barriers. In your absence, I asked to inspect the Premises Licence so that everyone present would be aware of the requirements for the outside area. Unfortunately, no member of staff present knew of the whereabouts of the premises licence, and I believe you were telephoned in that regards. After some period of time, the premises licence was located in the offices of a building further along the High Street, and was brought to the premises for inspection. You will no doubt be aware that s57 of the Licensing Act 2003 makes certain requirements in regards to the Premises Licence being at the licensed premises whilst licensable activity is taking place, and lists the penalties on conviction should this not be adhered to.

I must draw your attention to Condition 17 of Annex 2 of the above premises licence, which states:

“The Designated Area shall be at the front of the premises, adjacent to the entrance. This shall be clearly defined by way of substantial barriers and shall hold a maximum of 15 people at any one time. No entertainment of any sort will be permitted in the Designated Area.”

This condition is clear; the Designated Area will be clearly defined by barriers. It shall not be laid out as it was that evening, with a walkway through the middle, and the highway must not be obstructed at any time. The issues with people walking past in possession of drinks and being confused for customers would not have occurred had the barriers been in place as required. Additionally, your staff and customers would not have been at risk from passing cyclists if they had been safely behind the barriers, as is required.

The obstructing barrier was finally removed by staff member Brandon, but I do not expect the poor attitude or derision received from member of door staff Slav. This does not assist in promoting a good working relationship, and I hope that this is something that can be overcome.

Whilst concluding our discussion that evening in regards to the outside area, I did enquire of staff if there was a Tables and Chairs Licence in place for the use of the highway outside the premises. Staff were unaware of any such licence, and I am since advised by West Sussex County Council Highways department that there is not one in force for your premises. This is a requirement in addition to any permission on the Premises licence, or obtained through Planning Applications. I must advise you that you that by placing anything on the highway outside of your premises, you may be committing offences under s137 and s149 of the Highways Act 1980. I would strongly recommend you contact West Sussex County Council Highways department as a priority to address this situation.

As the DPS, and officer of the PLH of Deja Vu, you will no doubt be fully conversant with the following four licensing objectives under the Licensing Act 2003, and your obligation to promote them:

- Prevention of Crime and Disorder
- Prevention of Public Nuisance
- Public Safety
- Protection of Children from harm

The issues I have identified above, coupled with your failure to respond to a formal request for information from a responsible authority, have caused me to consider whether you are indeed promoting the objectives, and whether there is a wilful disregard at Déjà vu for the provisions of the Licensing Act 2003.

I must point out that as the Designated Premises Supervisor, and Premises Licence Holders, 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. Further observations of the premises may be carried out by officers of the Council and Sussex Police.

Immediate action is required to address the issues and formal requests identified here. Please respond within 5 working days from the date at the top of this letter, providing all requested documents, and confirming what measures have been put in place. I am happy for this to be by post 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. Mike Lyons – Licensing Authority (CBC)

From: Noel Samaroo [mailto: [REDACTED]@om]
Sent: 10 July 2019 17:09
To: Jones Warren CJ903 <Warren.jones@sussex.pnn.police.uk>
Cc: WS_Licensing_WOR <WS_Licensing_WOR@sussex.pnn.police.uk>; Giddings Pauline 64321 <Pauline.Giddings@sussex.pnn.police.uk>; Lovell Robert CL740 <Robert.lovell@sussex.pnn.police.uk>; mike.lyons@crawlley.gov.uk
Subject: RE: DEJA VU - RESPONSE LETTER

Dear Warren,

Please find attached copies of

1. Drugs Policy
2. Dispersal policy
3. List of persons authorised to sell alcohol
4. Full and dated training records for those persons

As you can see the policies have been updated with regards to our licensing conditions and to promote the licensing objectives.

I am responding to your letter dated the 09/07/2019 paragraph by paragraph for clarity purposes. Please find my replies in red.

Dear Noel,

I am writing to you in your capacity as the Designated Premises Supervisor (DPS), and officer of the Premises Licence Holder (PLH) of the above premises. The premises has been issued with Premises Licence 16/001916/LAPRE by Crawley Borough Council, authorising a number of licensable activities to take place, subject to the conditions attached to the licence.

On Sunday 23rd June 2019 I had the opportunity to speak with you at the premises, and subsequently sent you an email summarising our conversation, and requesting you provide me with a number of documents. For the purpose of clarity, these were:

5. Drugs Policy
6. Dispersal policy
7. List of persons authorised to sell alcohol
8. Full and dated training records for those persons

I also provided you with the results of the drug mapping that I undertook whilst at the club. For clarity I have attached these to this letter.

On Monday 24th June 2019, you kindly responded to my email confirming that you would be speaking to all staff about the points raised. You confirmed that with immediate effect you would employ a door supervisor every night, to conduct searches on entry, and toilet checks, to address the results of the drug mapping. You also confirmed that you were updating the premises policies, and that these would be sent to me "in the next day or so".

To date I have not received any of the requested documents.

I must draw your attention to Condition 7 of Annex 2 of the above premises licence, which states:

"The premises licence holder will produce a drugs policy which will include necessity to search customers for illegal and banned substances. This policy will be provided to Sussex Police upon request."

Response

I apologise for the delay in sending the requested documentation. This was due to your request that the existing policies be updated. This is not something that I take lightly and have had to consider all of the points covered in the existing policy to ensure that the licensing objectives are being upheld. This has taken some time.

I must point out that you are in possession of our existing policies. These would have been made available to you immediately as they are kept on the premises for inspections by Responsible Authorities.

I must draw your attention to Condition 8 of Annex 2 of the above premises licence, which states:

“The premises licence holder will produce a dispersal policy which will detail how public nuisance and crime and disorder will be prevented when rejecting and ejecting customers. This will be made available to Sussex Police upon request.”

Response

As above.

"All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regards age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to making sales of alcohol, and refresher training thereafter at intervals of no more than three months. All restricted sales training undertaken by staff members shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers and Sussex Police Officers or Licensing staff. These records will be kept for a minimum of 24 months."

Response

Deja Vu carries out continuous and on-going training of all staff with particular attention to the licensing objectives. Staff training records are kept. This training is in BIIAB guidelines. Also all staff have been issued with a copy of our operation schedules, dispersal policy, drugs policy and BIIAB training manuals.

Most of our front of house staff have obtained their personal licence to authorise them to supply alcohol, or authorise the sale of alcohol in premises.

Details of which have been supplied.

It is unacceptable that despite receiving a formal request for documentation over two weeks ago, you have still failed to produce it for inspection.

Response

Details you have requested have been available for inspection, however, it has taken a little more time to update our policies and this has been the reason for the delay. Please accept my apologies.

At around 0035 hours on Thursday 4th July 2019, I visited the premises for the purposes of collecting some CCTV footage, and was greeted by staff member Brandon. I could see no SIA door supervisor on duty despite the assurance you provided in your email dated 24th June 2019. Brandon advised me that the member of door staff, Slav, was "On Call", and it had been agreed that he would be called if customer numbers reached 10 or above.

Response

This is now been implemented as to my original assurance that a door supervisor will be on duty Monday to Wednesday from 11:00 PM until close.

My apologies for confusion but it has taken me some time to arrange door supervision.

At around 2320 hours on Thursday 4th July 2019, as I passed by the premises I noticed that tables and chairs had been placed up against the railings by the roadside as well as adjacent to the front windows of the premises. This had

the effect of creating a walkway in between the two sets of tables and chairs. Additionally, the southern end of this walkway had been completely blocked with barriers from the premises, cutting off public access of the highway. A member of door staff Slav was present at the front of the premises, and I pointed out to him that it was not permissible to block the highway. He was clearly unhappy with this, and advised me to speak to yourself about the matter. Unfortunately you were not present, so I again advised him to remove the obstruction to the highway, which he eventually, and quite clearly reluctantly did.

Response

I have spoken with door supervisor in question and please accept my apologies, obviously some confusion has taken place regarding this matter as he was requested by management to place the barrier where it was.

Later that same night when passing by the premises, I observed that the highway was once more obstructed by the placing of barriers from the premises. On this occasion Slav refused to remove the barrier, and again instructed me to speak to you. This again was not possible as you were not present. I did however speak to member of management Debs, and a number of other staff members about the situation. Debs confirmed that she had instructed staff to position the barriers across the highway, as there had been previous issues with members of the public walking past with drinks and being confused for customers, and also from persons cycling through the walkway.

Response

There has been some confusion with regards to the external area, however, we are fully aware that under Annex 2 Condition 17, however, would like to draw your attention to Condition 22 that states "Save for the designated Smoking Area, the external area shall be closed to patrons from 01:00 until 08:00.

Maybe it would be a good idea to get some clarification on meaning of the external area, however, I can assure you that at no time will public right of way be blocked or the highway obstructed at anytime.

Management and door supervisors have had instructions on how this should be implemented in the future.

You will recall that we have discussed the size and layout of the outside area previously, confirming that it should remain adjacent to the front of the premises, and clearly delineated by barriers. In your absence, I asked to inspect the Premises Licence so that everyone present would be aware of the requirements for the outside area. Unfortunately, no member of staff present knew of the whereabouts of the premises licence, and I believe you were telephoned in that regards. After some period of time, the premises licence was located in the offices of a building further along the High Street, and was brought to the premises for inspection. You will no doubt be aware that s57 of the Licensing Act 2003 makes certain requirements in regards to the Premises Licence being at the licensed premises whilst licensable activity is taking place, and lists the penalties on conviction should this not be adhered to.

Response

You are absolutely correct that we did have a conversation regarding the designated smoking area from I am there has always been a designated smoking area adjacent to the entrance as specified in Annex 2 Condition 17.

May take I this opportunity to guide you towards Annex 2 Condition 22 with relation to "the external area". Maybe this needs some clarification.

I must draw your attention to Condition 17 of Annex 2 of the above premises licence, which states:

“The Designated Area shall be at the front of the premises, adjacent to the entrance. This shall be clearly defined by way of substantial barriers and shall hold a maximum of 15 people at any one time. No entertainment of any sort will be permitted in the Designated Area.”

This condition is clear; the Designated Area will be clearly defined by barriers. It shall not be laid out as it was that evening, with a walkway through the middle, and the highway must not be obstructed at any time. The issues with people walking past in possession of drinks and being confused for customers would not have occurred had the barriers been in place as required. Additionally, your staff and customers would not have been at risk from passing cyclists if they had been safely behind the barriers, as is required.

Response

I concede that at no time should we obstruct the public highway, in hindsight this was done only in the interest of public safety. However, I can assure you this will not happen again. We are in contact with West Sussex County Council Highways to also get clarification on this matter.

The obstructing barrier was finally removed by staff member Brandon, but I do not expect the poor attitude or derision received from member of door staff Slav. This does not assist in promoting a good working relationship, and I hope that this is something that can be overcome.

Response

Warren, we have always done our utmost to promote good working relationships with yourself and all other Responsible Authorities and especially assisting the police in any inquiries or assistance they may require.

I do feel that we have a good working relationship and I am concerned with regards to your last comment that this may not be the case and of course any attitude or derision from any member of my staff will not be tolerated.

Whilst concluding our discussion that evening in regards to the outside area, I did enquire of staff if there was a Tables and Chairs Licence in place for the use of the highway outside the premises. Staff were unaware of any such licence, and I am since advised by West Sussex County Council Highways department that there is not one in force for your premises. This is a requirement in addition to any permission on the Premises licence, or obtained through Planning Applications. I must advise you that you that by placing anything on the highway outside of your premises, you may be committing offences under s137 and s149 of the Highways Act 1980. I would strongly recommend you contact West Sussex County Council Highways department as a priority to address this situation.

Response

This premises has operated for many years with an outside area and no tables and chairs licences ever was required. There is a planning permission in place and always has been. When a premises licence was initially applied for we contacted West Sussex County Council Highways and it was confirmed that this was not required. We have had subsequent visits where we were informed that as long as we allowed a minimum 1.5 metres walkway area we were not in breach.

As the DPS, and officer of the PLH of Deja Vu, you will no doubt be fully conversant with the following four licensing objectives under the Licensing Act 2003, and your obligation to promote them:

Prevention of Crime and Disorder
Prevention of Public Nuisance

Public Safety

Protection of Children from harm

The issues I have identified above, coupled with your failure to respond to a formal request for information from a responsible authority, have caused me to consider whether you are indeed promoting the objectives, and whether there is a wilful disregard at Déjà vu for the provisions of the Licensing Act 2003.

Response

We have always done our utmost to promote the licensing objectives and there has never been a an occasion when we have wilfully disregarded any of the provisions of the licensing act. We have done our utmost to cooperate and consult fully with the Responsible Authorities with regards to any issues.

I must point out that as the Designated Premises Supervisor, and Premises Licence Holders, 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. Further observations of the premises may be carried out by officers of the Council and Sussex Police.

Immediate action is required to address the issues and formal requests identified here. Please respond within 5 working days from the date at the top of this letter, providing all requested documents, and confirming what measures have been put in place. I am happy for this to be by post or email to WS_Licensing_WOR@sussex.pnn.police.uk

I do hope this goes some way to explain why there has been a delay in forwarding the updated policies but I'm sure you will agree it is important for us to consider the licensing objectives are being promoted in a correct and positive manner.

I feel that it would be a good idea for us to have a meeting where we can discuss these points in further detail and any other concerns you may have.

Kind regards

Noel



Noel A Samaroo (MIoL)
Licensing Consultant
NTAD CONSULTANTS LTD
M: 075 [REDACTED]
E: [REDACTED]
W: [REDACTED]

Address:
Noel A Samaroo (MIoL)
NTAD CONSULTANTS Ltd
[REDACTED]
CRAWLEY
WEST SUSSEX
[REDACTED]

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From: Warren.jones@sussex.pnn.police.uk
Sent: 09 July 2019 16:27
To: [\[REDACTED\]](#)
Subject: FW: Deja Vu
Importance: High

DRUG AND SEARCH POLICY



**26-32 HIGH STREET
CRAWLEY
WEST SUSSEX
RH10 1BW**



Drug and Search policy

1. Purpose of the policy

- 1.1 The management of Deja Vu recognises the need for a comprehensive and considered drugs and search policy to avert potential drug related crime from taking place. The following policy outlines the steps necessary to minimise this potential risk and ensure a safe, and drug free environment for its customers.
- 1.2 The management of Deja Vu recognises that it has neither authority nor responsibility beyond the immediate vicinity of the licensed premises but also the importance of a managed and responsible approach to drug taking and drug dealing.
- 1.3 The Management understands the importance of communication by way of clear instructions and signage to communicate their **Zero Tolerance** to drugs and the strong willingness to apply the **DRUG AND SEARCH POLICY** and are also aware that policies can be written but only by way of full implementation, regular Training, and monitoring can the correct balance be achieved.

2. Responsibilities

- 2.1 **Deja Vu** is aimed towards families and couples, we do not consider searches to be neither necessary nor appropriate.
- 2.2 However, to maintain a good level of professionalism and to ensure that we maintain a drug free and safe environment for our customers we will implement the following: Searching of bags and persons will be carried out only on the instructions of the DPS or head of security, if it is felt to be appropriate. This will take place before the individual(s) enter or while on the premises. This search is to secure the integrity of the premises, this search will be carried out under the supervision of either the DPS or the Head of Security and in full view of a CCTV camera.
- 2.3 **FROM 21:00** the Searching of bags and persons will be carried out on all persons wishing to gain entry to the premises **ONLY if the head door supervisor or the DPS feels it necessary**. This will take place before the individual(s) enter or while on the premises. This search is to secure the integrity of the premises, this search will be carried out under the supervision of either the DPS or the Head of Security and in full view of a CCTV camera.

- 2.4 There is necessary signage informing customers that **Deja Vu is a drug free environment**” and that drug dealing or usage will not be tolerated and will be reported to the police.
- 2.5 Anyone found with drugs will have them confiscated and the Police will be called, any confiscated drugs will be placed in secure drugs bags and handed to the police.
- 2.6 A record will be kept of all incidents which should be available for inspection.
- 2.7 Regular toilet checks will be carried out by SIA security staff.
- 2.8 The staff will be trained by outside agencies in Drugs Awareness for Licensed premises.

The Management of Deja Vu

Signed

DESIGNATED PREMISES SUPERVISOR

Print name.....

PREMISES LICENCE HOLDER

Print name

Dated



Dispersal Policy

JUNE 2019



**26-30 HIGH ST
CRAWLEY
WEST SUSSEX
RH10 1BW**

DISPERSAL POLICY

1. Purpose of the policy

1.1 The management of **Deja Vu** recognises the need for a comprehensive and considered dispersal policy to avert potential disorder and disturbance at the end of the night. The following policy outlines the steps necessary to minimise this potential risk and ensure a safe, orderly and quiet egress by customers.

1.2 The management of **Deja Vu** recognises that it has neither authority nor responsibility beyond the immediate vicinity of the licensed premises but also understands the importance of a managed and orderly end to the night to all in its area, and as such will endeavor to ensure that all customers leave the premises and its immediate vicinity without causing disturbance.

1.3 The Management understands the importance of maintaining good relations, and are also aware that policies can be written but only by way of full Implementation, regular Training, and monitoring can the correct balance be achieved.

2. Responsibilities

2.1 Ensuring that this policy is adhered to is the responsibility of the **Duty Manager / DPS/ PLH**

2.2 A SIA door supervisor will be on duty at the front of the venue to supervise the dispersal at the end of the night.

2.3 The management will constantly monitor the implementation of this dispersal policy, a log will be kept to identify and weaknesses and recommendations with regards to future training or implementation requirements.

2.4 Any person identified as not conforming to the dispersal policy's or not following instructions will not be allowed entry to the venue in future and this will be entered in the incident log.

3. Policy

3.1 Customers are forbidden from taking alcohol or glassware off the premises. This will be indicated by both clear signage near relevant exits and staff announcements. SIA Door supervisors are on duty and will have particular responsibility for ensuring that no alcohol or glassware leaves the premises.

3.2 Customers will be asked to leave the venue in a quiet and responsible fashion. This will be indicated by both clear signage near relevant exits and staff announcements.

3.3 A 30min closing/drinking-up time has been adopted. This will allow the venue to clear in a gradual and orderly fashion.

3.4 Customer will not be encouraged to wait inside for taxi but directed to the local taxi office however if pre-booked taxis have been ordered customers may wait inside and offered soft drinks or water while waiting.

3.5 Customers will be encouraged to leave gradually over the course of the permitted drinking up period and not herded out when licensable activity ceases. Any customers found loitering outside the premises will be asked politely to leave quietly. If conflict develops that cannot easily be contained by the SIA door Supervisors staff are to contact the authorities.

- 3.6 Customers will not be allowed to enter or re-enter the Venue after 01:00 or after the venue has closed.
- 3.7 Signs will be displayed at the exit to remind patrons to use the bathroom facilities before they leave the venue.
- 3.8 Should it be necessary to reject or eject customers from the premises this will be carried under strict guidelines of our conflict management policy. When rejecting customers door supervisors should be assertive and definitive as to why any persons would be refused entry. Should this create conflict management should be requested to speak with the customer. If this cannot be resolved and the potential for the conflict arises the police should be called.
- 3.9 Should it be necessary to eject any customer from the premises, physical intervention should be avoided at all cost, however, should this be necessary, it is a responsibility of the SIA door supervisors. This will be entered into the incident book and reported to Pubwatch via DISC app. Should any situation escalate where conflict may take place and any possibility of crime or disorder, the police should be called.
- 3.10 Any for of crime and disorder will be recorded on the CCTV and made available to the police immediately upon request.
- 3.11 Details of public transport and taxi services will be available to customers, either with signage or by the availability of leaflets, business cards, maps etc.
- 3.12 Cleaning equipment will be kept within reasonable distance of exits to ensure that any litter is cleared as soon as practicable.
- 3.13 The Venue is to have a relationship with a preferred taxi provider and offer the customers leaving the venue a very competitive and convenient service.
- 3.14 Notices will be displayed within the immediate area asking customers to respect the neighbors and to disperse from the area.
- 3.15 Local residents have a dedicated 24hr help line and email address to contact with any issues this will be displayed at the front of the premises.
- 3.16 If staff are required to contact the authorities, all incidents will be logged in accordance with the venue's policies and the terms of its licence.
- 3.17 Any customer not adhering to the instructions of the door supervisor will be refused entry to the venue.
- 3.18 All door supervisors will have contact with the Duty Manager of the Venue Via Radio.
- 3.19 All Staff will receive training with regards to this policy which will be fully documented.

The Management of Deja Vu

Signed



DESIGNATED PREMISES SUPERVISOR: NOEL ANTHONY SAMAROO

Print name: NOEL ANTHONY SAMAROO

PREMISES LICENCE HOLDER

Print name: NOEL ANTHONY SAMAROO

Dated



LETTER OF DELEGATED AUTHORITY

DATED THE 05 July 2019

This is a letter of delegated authority for the following persons to sell or to authorise the sale of Alcohol by retail at Deja Vu Bar 26 - 30 High St Crawley RH10 1BW.

Mr Noel A Samaroo – Personal Licence Number – 10/00905/LAPER

Mrs Debby S Walkey - Personal Licence Number – 19/02241/LAPER

Mr Brandon Lee Young - Personal Licence Number – 19/02192/LAPER

Mr Richard Simmonds – Personal Licence Number – 19/02240/LAPER

Mr Slawomir Piatek – Personal Licence Number – 19/02191/LAPER

Mr David Naeem – Personal Licence Number – 19/02245/LAPER

Miss Lauren Bray - Personal Licence Number – 15/01574/LAPER

Signed:

A black rectangular redaction box covers the signature. To the left of the box, there are two horizontal lines extending to the left, and to the right, there is a small, curved line that appears to be the end of a signature stroke.

MR NOEL ANTHONY SAMAROO

DPS Personal Licence Number – 10/00905/LAPER



STAFF TRAINING RECORD BOOK

DEJA VU

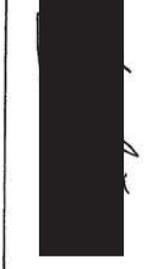
**26 - 30 HIGH ST
CRAWLEY
RH10 1BW**

Date & time	NAME	TYPE OF TRAINING	SIGNATURE	SIGNATURE OF MANAGER
02.11.17	J. Jovan	UNDERAGE Sales - Conditions	[Redacted Signature]	[Redacted Signature]
"	A. Masterson	"	[Redacted Signature]	[Redacted Signature]
"	L. Jenkins	"	[Redacted Signature]	[Redacted Signature]
"	M. Saunders	"	[Redacted Signature]	[Redacted Signature]
"	P. Brown.	"	[Redacted Signature]	[Redacted Signature]
9/12/18	Sian Welch	underage Sale Drink Spiking	[Redacted Signature]	
08/12/18	Drao Brandon Young	underage Sales drink spiking	[Redacted Signature]	

Date & time	NAME	TYPE OF TRAINING	SIGNATURE	SIGNATURE OF MANAGER
18/3/18	Brandon Young	health + safety		
18/3/18	Tony Mulson	health + safety		
18/3/18	Sofia Melum	health + safety		
19/6/18	BRANDON YOUNG	LIFENCE CONDITIONS		
19/6/18	BRANDON HUGES	"		
19/6/18	OHL	"		
19/6/18	SAM FOSTER	"		

Date & time	NAME	TYPE OF TRAINING	SIGNATURE	SIGNATURE OF MANAGER
28/2/18	Brandon huggs	under age Sales		
28/2/18	Tara mitchson	drink Spicing		
18/3/18	SOPHIA MELIM	under age sales		
18/3/18	SOPHIA MELIM	drink Spicing (ANGELA)		
18/3/18	Tara mitchson	drink spicing (ANGELA)		
18/3/18	Brandon young	drink spicing CANGELA		

Date & time	NAME	TYPE OF TRAINING	SIGNATURE	SIGNATURE OF MANAGER
30/9/18	S. PIATREZZ	ABSENCE CONDITIONS		
30/9/18	B. MYER	"		
30/9/18	J. ADISEIDE	"		
30/9/18	I. SSEMINDE	"		
30/9/18	R. SIMMONDS ^N	"		
28/10/18	C. POLLEY	KITCHEN SUDS DT		
28/10/18	B. Lette ^{Kenny}	"		

Date & time	NAME	TYPE OF TRAINING	SIGNATURE	SIGNATURE OF MANAGER
19/6/18	MOLLY Heasman	" "		
19/6/18	CAROL Pilliers	" "		
19/6/18	MARK WILLIAMS	HEALTH & SAFETY		
19/6/18	Aidan	"		
19/6/18	Charlie Gallagher	LICENSE CONDITIONS		
19/6/18	Rhiana Shepherd	" "		

Date & time	NAME	TYPE OF TRAINING	SIGNATURE	SIGNATURE OF MANAGER
5/June/19	D. WALKER	LICENCE CONDITIONS.		
	S. PIATEK	"		
	B. KAZ	"		
	B. YOUNG	"		
	D. NAEEM	"		
	C. POLK	CHALLENGE 25		
	L. BRAY	"		

Date & time	NAME	TYPE OF TRAINING	SIGNATURE	SIGNATURE OF MANAGER
	L. JENKINSON	LICENSING CONDITIONS		
	J. DAVIS.	LICENSING CONDITIONS.		

Date & time	NAME	TYPE OF TRAINING	SIGNATURE	SIGNATURE OF MANAGER
	L. BRAY	"		
	B. HUGHES.	"		
	J. DAVIS.	"		

Date & time	NAME	TYPE OF TRAINING	SIGNATURE	SIGNATURE OF MANAGER
4/FEB/2019	S. PIATEK	UNDER AGE SALES — DRUG AWARDS		
	B. KAZ	"		
	B. YOUNG	"		
	R. SIMMONS.	DISPERSE — SEARCH — CONFLICT MANAGEMENT		
	D. NABBY	PREVENTION OF UNDER AGE SALES.	 10/27/19 DM	
	L. M. GECHART	"		

déjà vu, 26-32 High Street, Crawley, West Sussex, RH10 1BW
Review Proceedings

DVD #1 - WMJ/03

1/	06/01/2019	0105hrs	Déjà vu CCTV -3 female enter premises	36s
2/	06/01/2019	0125hrs	Déjà vu CCTV - 3 females leave premises	20s
3/	06/01/2019	0125hrs	Town CCTV - 3 females heading away from Déjà vu	11s
4/	06/01/2019	0137hrs	Town CCTV - 3 females heading towards Déjà vu	31s
5/	06/01/2019	0140hrs	Déjà vu CCTV - 3 females enter premises	31s
6/	12/01/2019	0118hrs	Town CCTV - Male and female walk away from Déjà vu, towards Peglar Way	1m 10s
7/	12/01/2019	0124hrs	Déjà vu CCTV - Male and female walk in from rear of premises	36s
8/	12/01/2019	0159hrs	Déjà vu CCTV - PC JONES enters premises	
9/	12/01/2019	0204hrs	PC.JONES BWV - conversation with PIATEK and YOUNG	5m33s
10/	23/06/2019	0238hrs	Déjà vu CCTV - Assault on dance floor	6m 24s
11/	04/07/2019	2321hrs	PC.JONES BWV - conversation with PIATEK about barrier obstruction	1m 17s
12/	05/07/2019	0038hrs	PC.JONES BWV - conversation with WALKEY about barrier obstruction	8m 16s

déjà vu, 26-32 High Street, Crawley, West Sussex, RH10 1BW
Review Proceedings

DVD #2 - WMJ/04

1/	19/06/2019	2326hrs	Déjà vu CCTV - 15 year old at entrance in company with YOUNG at others.	1m 14s
2/	19/06/2019	2327hrs	Déjà vu CCTV - 15 year old enters premises in company with acquaintance and YOUNG. YOUNG serves them at the bar.	4m 02s
3/	20/06/2019	0020hrs	Déjà vu CCTV - 15 year old alone at table. Acquaintance delivers her a shot drink, which she consumes.	1m 56s
4/	20/06/2019	0151hrs	Déjà vu CCTV - 15 year old and acquaintance in outside area speaking to YOUNG, before leaving with two adult males.	1m 06s



Sussex Police
Serving Sussex

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Licensing Officer,
Alcohol & Premises Licensing,
Planning & Environmental Services Department,
Town Hall,
The Boulevard,
Crawley,
RH10 1UZ

Neighbourhood Licensing Team

19th September 2019

Dear Mr Lyons,

Déjà Vu 26 High Street Crawley RH10 1BW

Please find attached additional evidence in relation to the review application, submitted by Sussex Police 24th July 2019 pertaining to the premises Déjà Vu 26 High Street Crawley RH10 1BW

Please note there is a typing error within the Review document; this does not affect the content but in interests of accuracy it should be noted that the entry for:

6th June 2019 23:30 hours (Wednesday) should in fact read

5th June 2019 23:30 hours (Wednesday) and that there is a typing error within the statement that refers to this incident.

Please find attached:

Evidence pertaining to 5th May 2019

- Statements 14 pages
- Transcript
- Extract from NTAD company site. (NTAD is a national company specialising in the compliance of premises licensing within the hospitality industry.)
- There are additional DVDs which shall be provided under separate cover (hand delivery) to your offices.

This additional evidence has not been forwarded to the premises licence holder.

Yours Sincerely

Pauline Giddings

Divisional Licensing Officer
Prevention Licensing Team
West Sussex

The additional information attached relates to the incident of **5th May 2019** (referenced in the original Review application), in which a member of the public was ejected from the premises and subsequently rendered unconscious. Mr Samaroo was working at the premises that evening and can be seen and heard on the Body Worn Video footage discussing the incident with the door team.

Mr Samaroo was arrested on the night and later released without charge. A statement was prepared from the information he provided however he has subsequently failed to respond to any of the investigating officer's requests to sign the statement.

The incident itself is extremely disturbing, where members of the SIA door team have removed a patron from Déjà Vu. The male patron then appears to be pursued by a number of the SIA trained door staff who have engaged with him; resulting in the male being left unconscious in the road, along the street from the premises. A second member of the public also sustained injury.

However the recorded conversations which subsequently take place between the door supervisors and, between the door supervisors and Mr. Samaroo, are not insignificant and give Sussex Police grave concerns. The content is such that it seriously calls into question the integrity of all the persons involved. A transcript of this footage is attached for your convenience including a translation into English where necessary. (The DVD of the incident shall be available for viewing at the Hearing.)

The Private Security Industry Act 2001 gave the Security Industry Authority the responsibility for regulating the private security industry and there by professionalising the role of the door supervisor. This was intended "to help protect society... achieving high standards within the private security industry".* All SIA door supervisors, Designated Premises Supervisors and Premises Licence Holders, are required to adhere to the conditions attached to the premises licence where they are employed or hold responsibility. They are also required to promote the licensing objectives as described in the Licensing Act 2003. Sussex Police consider that the evidence provided here demonstrates a willful disregard of the trust and expectation bestowed upon them, and, of the responsibilities their roles demand.

Sussex Police are now able to disclose this additional evidence for the Licensing Committee to consider. The review document raises serious questions surrounding the lack of support to Sussex Police and the questionable integrity of the members of staff employed by and connected to the premises. Assurances by the DPS have not been carried out and the conversation captured on the body worn video camera is not reassuring.

It is difficult to see how Sussex Police can condone the premises licence holder / designated premises supervisor being permitted to continue running this premises given the levels of concern raised.

Consideration has been given to seeking the removal of Mr Samaroo as the DPS but it is believed this not appropriate as he is also the PLH. Consideration was also been given to seeking additional conditions be attached to the premises licence; however the failure to comply with those currently on the licence, is now compounded by subsequent concerns around the integrity of the staff.

Sussex Police therefore consider there is little alternative other than to respectfully request that the Licensing Committee seriously consider the revocation of this licence. A robust response would send a clear message that the Local Authority will not tolerate this level of disregard for public safety, for the Licensing Act 2003 and for the licensing objectives which under pin each licence issued by the Local Authority.

*SIA Delivering Home Office Objectives.

WITNESS STATEMENT

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

Statement of: [Redacted]

URN

Age (if under 18): N/A

Occupation: [Redacted]

On Saturday 4th April 2019 at 11:00pm I travelled from my home town of Surrey on a train with my brother [Redacted] and my friend [Redacted] for a pre planned night out in Crawley.

We chose Crawley because it was we have friends who live in Crawley and we fancied going somewhere a bit different. As some of us are students and it being the bank holiday, we wanted to have a good night away from home. I have been to Crawley before about two years ago.

I along with my friends arrived at Crawley at around 11:40pm and met up with one of my friends and walked to a Travelodge hotel where a room was pre-booked.

Three of my friends were already in the hotel room [Redacted] and [Redacted] [Redacted] where we all drank alcohol before we went out. I had two single JD and Coca Cola mix.

I was in the hotel for about 20 minutes and we all left and walked in to the town centre. One of the promoters working on the street recommended a club called DEJA VU and we all agreed to visit this club. My friends and I got to the club at just before 01:00. There was someone at the door checking ID before allowing me in to the club, I bought a Desparado for me and another drink for my friend. My brother didn't want a drink at this point because he drank at the hotel. The club had an alright vibe to it, fairly busy and had a bit of light coming from the internal lighting. DJ was playing music when I first arrived and liked his music choices so we encouraged the DJ to keep up the music. My friends and I were in good spirits and stayed together the majority of the time except for the brief moments where my brother would go to the smoking area outside the club.

My friends and I were at the club for around an hour and throughout our time we were chatting to other club visitors. Toward the end of the night we started talking to some girls and it was all going well, my brother was talking to two girls and all parties were making jokes and dancing with one of them, shortly after going back and my brother speaking. The other girl then moved her away from [Redacted] then saw this girl go to the bouncer and said to the effect of "HE'S BEING ANNOYING" referring to [Redacted]

My friend [Redacted] went to them and apologised for [Redacted] annoying them, during this the bouncer was talking to my brother, I was less than a metre away and could hear the bouncer speaking to [Redacted] in an intimidating tone, shortly after a second bouncer came toward my brother. I went toward my brother and the bouncers and said "MY BROTHERS FINE, HE JUST NEEDS SOME FRESH AIR. WE HAVE HAD A LONG JOURNEY DOWN AND JUST HAVING A GOOD NIGHT OUT". Bouncer said "YEAH NO PROBLEM MAKE SURE HE IS NOT TOO DRUNK". [Redacted] then escorted [Redacted] to the smoking area. I could see [Redacted] out of the club window which is quite open and covers all of the smoking area, the smoking area had a few people already out in the area. [Redacted] was smoking for a couple of minutes and noticed he was unsteady on his feet, [Redacted] appeared to not be able to keep his balance when stood in one place. Two bouncers approached him who were different to the ones we had just spoken to they were getting a bit agitated with my brother and although I couldn't hear what was being said I knew that they were asking [Redacted] to leave based on their behaviour and pointing as if for him to leave.

Witness name: [Redacted]
Statement started: [Redacted]
Form ID: [Redacted]

Statement completed: 05-05-2019 05:11:15

Doc1557023448175-58-BJNQLDQAAAOWLZ56V2U7BBBI

One of my friends came up to me and said "THE BOUNCERS WANT TO KICK [REDACTED] OUT", I started to make my way outside and as soon as I got out there I started seeing the bouncers escorting [REDACTED] out by tightly moving toward him stopping [REDACTED] from coming back. [REDACTED] tried to move the bouncers away from him by push his way through them toward the club. My brother then got aggitated with the bouncers, trying to get breathing space. I saw this and told one of the bouncers at the door "I AM GOING OUT TO SORT THE SITUATION OUT, HE'S MY BROTHER . REMEMBER MY FACE TO LET ME BACK IN". I then saw four to five bouncers running at my brother, my brother ran away from them. I ran toward my brother aand overtook the bouncers because they slowed down I said to my brother "CALM DOWN, WHAT'S GOING ON. I KNOW YOUVE BEEN KICKED OUT." I was in arm reach of my brother turned to the bouncers putting my haands out to my brother pushing him away. One of the bouncers then punched me in the face causing my lip to bleed. A bouncer then grabbed me but I don't know which one it was nd ripped my shirt. I kept shouting at them saying "WHY YOU HITTING ME, WHY YOU HITTING MY BROTHER, I AM TRYING TO STOP THIS". I was also shouting "STOP, THERE'S NO NEED FOR THIS". None of them gave any reply. The group were constantly punching my brother with closed fist hitting the face, nosse and body. My brother didnt say anything during this time. A passer by then said to the group "STOP THIS! YOU GUYS CAN'T BE DOING THIS". While the passer by said this I said at the same time "I AM CALLING THE POLICE" and got my phone out of my jean pocket.

The group then stopped hitting my brother and then one of the bouners said "THAT'S WHAT YOU GET WHEN YOU MESS WITH US, YOU'RE NOT WELCOME HERE" they then walked toard the direction of DEJA VU.

I went to my brother and shouting "CAN SOMEONE CALL THE AMBULANCE AND THE POLICE" I realised that my brother was unconcious, he wasn't responding to his name shouting "WAKE UP". I was really scared.

Passer by then held [REDACTED] up, he was bleeding from the face nose and ear. While they were holding him up I went back to the club and told a different bouncer to the ones that tttcked my brother and said "HAVE YOU LOOKED AT WHAT YOUR BOUNCERS HAVE DONE TO MY BROTHER" The bouncer replied with "NOTHING TO DO WITH ME, IT'S THE OTHER BOUNCERS.

My friend [REDACTED] looked down at my brother in horror, he said to the effect of "I COULD SEE WHAT THEY DID [REDACTED] THEY CAN'T BE DOING THAT!"

[REDACTED] stayed with me until ambulance arrived. Other people were calling ambulance and police. My brother regained conciousness about four minutes after I realised he was unconcious, [REDACTED] was still not with it, confused and had his head down.

Ambulance arrived few minutes later and took over, placing [REDACTED] in the back of the ambulance.

I remember specifically the description of the bouncer who said "YOU'RE NOT WELCOME HERE". White male, Eastern european accent, broad face, near enough bald, big build like Phil Mitchell from Eastenders.

Wearing blacked out uniform with his badge.

The rest of the group looked fairly similar. I would recognise the bouncer described above if I saw him again. I was no more than metre away from him at the time of the incident. I have never seen this person before and don't know him. There were no obstructions blocking my view.

The whole incident lasted for about two minutes, although it was dark I could see the incident clearly by the street lights, however it as shady compared to the club area.

Witness name: [REDACTED]

Statement started: 05-05-2019 03:30:48

Statement completed: 05-05-2019 05:11:15

Form ID:

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[Redacted] (when complete)

No one had permission to assault me. I believe had I not been there trying to sstop the bouncers probably be worst case outcome for my brother.

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

Signature Witness:

[Redacted Signature]

Date: 05-05-2019

Witness name:
Statement started:
Form ID:

[Redacted Witness Name]

Statement completed: 05-05-2019 05:11:15

2010/11 [Redacted] 08-BJNQLDQAAAAWLZ56V2U7BBBI

WITNESS STATEMENT

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

Statement of [Redacted]	URN		
Age (if under 18): N/A	Occupation: [Redacted]		

In the early hours of the morning of Sunday 5th May, I was in the car with my partner, travelling along PEGLER WAY, after doing a food shop and walking the dogs. As we were driving along, I saw a male walking backwards up the HIGH STREET, with a glass in his right hand. There was a male who I believe was a club bouncer due to the uniform he was wearing and the band he had on his arm, approaching the male arguing with him. The male backing away threw the glass from his hand on to the floor, to the right of him roughly 3m to the left of the first approaching bouncer and it shattered on the floor, to the right hand side of the road at the top of the HIGH STREET. It looked as if he just threw the glass in frustration, he didn't look to be throwing it at anyone directly. I saw three other club bouncers approaching behind the first bouncer, and then another bouncer approaching behind them. Again, they were all in uniform that identified them as club bouncers. The first bouncer in front of the male immediately started punching the male to the face, head and neck. The punches were connecting with the males face, and caused him to stagger back onto some nearby railings. The other four bouncers ran towards the males, and began to kick, punch and stamp on the male. I took my vehicle around the one way system and parked up outside Deja Vu bar on HIGH STREET. I told my partner to stay in the car and I got out and headed towards the altercation to try and help. When I got there, another male had got to him, and was trying to lay across him to protect him. I saw this male receiving punches to the face also, but I couldn't make out which of the bouncers was hitting him as they were all in a group on top of the first male. I was shouting as I ran over, "WHAT ARE YOU DOING, STOP". The bouncers came away and started to walk back over to Deja Vu. As I reached the two males on the floor, I put the first one into a recovery position as he looked unconcious. I place the young male into recovery position when he became unconcious. He couldn't hear or see and didn't know what was going on. He looked in a really bad way. There was blood coming from his ears, and his left eye. I saw blood pouring from his mouth and his head. He had lots of bruises and grazing on his face and arms, and I saw a scuff mark on his ankle. One of the bouncers came back, and I thought he was coming back to check he was okay, but he started patting him down as if he was looking for an item on him. I told him to go away, and he walked off, taking his body camera off as he stood up to leave. I saw two males filming on their mobile phones, and I saw the bouncer as he was walking away go over to them and say something. I tried to get my partner to go over to them to get their contact numbers, but after they spoke to the bouncer they disappeared out of sight. I sat the male on the floor up, and kept talking to him about what had happened. He couldn't make any sense of it, and was quite distressed and dazed. I had to help him up and carry him to a wall to sit him down. An ambulance arrived at this point, and then moments after, the police. I gave my details to police, and then left the area as my partner was quite distressed after the incident. As I was leaving, I saw two bouncers outside Deja Vu bar talking with 4 others, and then saw them take their jackets off and start to walk away. I then ran over to police and told them what they were doing. Straight after this I saw police approaching them. I couldn't quite see which two bouncers these were or if they were involved. I then got in my car and made my way home. I would describe the main victim male as black, tallish, of athletic thin build with low facial stubble, and the second victim that received the punches to the face was black, slightly shorter than the main victim and of slightly larger build. He had a short black afro. The first bouncer who began the initial attack was wearing a jacket with a another jacket over the top and an arm band. I didn't see his face initially. He had a skin head, and was of very large build. One of the bouncers was white, of stocky build, with a skin head. I can't remember too much about the description of him, but I know either this bouncer or another one involved had a glass eye. A third bouncer at the incident was of shorter height, and slightly darker

Witness name: [Redacted]
Statement started: [Redacted] Statement completed: 05-05-2019 04:21:11
Form ID: [Redacted]

skin tone than the others. He was still a white European male, but more tanned. He also had a skin head, and was wearing a full black suit. Another bouncer was around 5'11 to 6'1 in height, was very stocky, and had a bony face. His cheekbones were very high and he had a stern face. He was around 30 to 40 years of age. I think he had a grey jacket on. Another bouncer involved was very skinny, and quite tall, with fair hair. He was wearing a white shirt and an arm band. The only male I did not see throwing any punches or kicks was the tanned male in the black suit. The rest of them were all contributing to the attack, kicking and punching the black male on the floor. I think the attack lasted around 3 to 4 minutes from what I saw. I don't know if it had started before I arrived but I saw around 4 minutes of the altercation. Initially I was around 7 metres away when I saw the attack first, and then about 15 metres as I parked up. I then passed all the bouncers quite closely when I ran past to help. I am confident I would recognise them all again, as it was such a vivid scene, and I haven't seen anything as unprovoked and violent as that, so I won't forget it soon. The weather was cold and dry, and although it was in darkness, there was clear street lighting that made my view clear of the incident. I have made this statement a few hours after the incident occurred, and the events are still fresh in my mind. I am happy to support police in any way I can, from what I saw it was an unprovoked unnecessary attack and I saw no reason for it. When I saw him down on the floor, I thought he was dead, and the bouncers just walked away laughing, and that is what has stuck in my mind the most about this.

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

Signature Witness: [Redacted]

Date: 05-05-2019

Witness name: [Redacted]
 Statement started: 05-05-2019 05:26:08
 Form ID: Doc1557023168279-76-BJNQLDIAAAWGB0ZEF3DJDJZ

Statement completed: 05-05-2019 04:21:11

WITNESS STATEMENT

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

Statement of: [REDACTED]	URN		
Age (if under 18): N/A	Occupation: [REDACTED]		

On Sunday 5th May 2019 in the early hours of the morning I was driving through town with my partner as we were driving home after visiting a friend. My partner was driving and we had just driven onto the High Street in Crawley. We had driven into the entrance where the bar Deja Vu is on the left hand side. I noticed two people on the right side of me standing by the traffic lights on Peglar way with their phones out in front of them. I assumed these people to be filming something. I look over towards to where their phones were pointing and it was towards a large circular building which is located on the on the opposite side of the road to the high street i think on the start of Haslette Avenue . I saw approximately two or three males who are bouncers walk back over the road towards Deja Vu from that point. One in particular was fairly short, bald, stocky build and wearing a t-shirt with a band on his right upper arm. I would recognise this male if i were to see him again. The other male was also stocky and had fair hair, either grey or blonde. I looked back towards Peglar Way and the building opposite on Haslette Avenue and i saw three people standing around a male lying on the floor. Two of these males where kicking the male on the floor, I could not see where they where exactly they were kicking him. The third male was screaming at the two males kicking the male on the floor. I jumped out of the car and ran over to the group. The way the third male was screaming made me feel sick, I knew from their behaviour that they knew each other and were very close to each other. The male screaming and the male lying on the floor were both black males, they did look similar so I assumed they were relatives of some kind. I later spoke to these males and I now know them to be brothers. The two bouncers kicking the male on the floor were in uniform, wearing thick black jackets and one was wearing reflective strips on the front of the jacket, both were tall and stocky build. I do not remember much more about these two.

As I have ran over towards the male on the floor just been beaten up, the two bouncers have ran towards Deja Vu. As I have got to the male on the floor I have tried to find my phone on me and I wanted to call a ambulance. As I have looked down at the male on the floor I initially thought the male was unconscious and lifeless possibly dead even. The male I know to be his brother was screaming in terror so I knew it was bad. My partner had then ran after me and we have somehow managed to move the male on the floor and I could now see the male on the floor was alive but it appeared he was in and out of consciousness. His eyes kept closing. I called an ambulance and was on the phone for some time explaining exactly where we were and how this male was. While on the phone a bouncer has approach me and my partner from behind. My partner [REDACTED] said something similar to "WHAT THE FUCK ARE YOU GUYS PLAYING AT". This male bouncer has then told us something about a bottle being thrown with glass and asked my partner if he had a video, he said something similar to "I NEED TO KNOW WHICH ONE OF MY BOYS DID THIS". This male I assumed to be a head bouncer or manager. This male had a glass eye, was bald and I could tell he was European from his accent. He was tall and stocky and wearing a high vis jacket. This male was standing to close to my partner and being slightly aggressive towards us. He kept getting in the way while we were trying to help the male on the floor. I was still on the phone to ambulance but I did not like the look of this bouncer and his behaviour towards us. I felt like this male was intimidating us and he was not going away. In the end I told him "I'M ON THE PHONE TO POLICE", to which this bouncer turned away pulling off his body camera off of his chest and walked away.

I have gone back towards the male on the floor while still on the phone to ambulance. I ran towards the two people by the traffic lights filming and asked if they filmed the incident, they said they had.

Witness name: [REDACTED]
Statement started: 05-05-2019 03:25:40 Statement completed: 05-05-2019 04:52:09
Form ID: Doc1557023140628-1887-BJNQLDIAAAWCKYYLF2FHV2N



I then turned back around and saw the black male on the floor trying to get up, my partner and I encouraged the male to wait for ambulance and sit down. A unknown lady with a bottle of water was trying to wipe the blood off of his face. The male had blood all over his face, it was dripping down and you could see the male could not focus as his eyes were all over the place. The male eventually gave up trying to leave and sat down on a wall and waited for police and ambulance to arrive.

After speaking to police I went back to our car and the bouncer with the European accent was staring at me, I felt that he was trying to intimidate me. Another bouncer who I saw walking away at first I noticed he had changed his clothes, he was then in a suit jacket and drinking a hot drink leaning on the railings outside Deja Vu, I thought this was weird that he would change. This was the male I would recognise again. As I was speaking to a blonde female police officer it appeared the European bouncer was trying to listen to what I was saying, so i stopped talking to her.

From the moment I saw the male on the floor being beaten up till the moment I saw the bouncers back at Deja Vu, as I was leaving, I would say lasted roughly 20 minutes.

When the male was being kicked on the floor I was still in the car, I was roughly three or four car lengths away from the two bouncers beating up the male by kicking him.

I cannot remember much about descriptions of these two males beating up the other, as it is very blurry for me, however I certainly know they were bouncers from a bar/ club because of what they were wearing.

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

Signature Witness



Date: 05-05-2019

Witness name:
Statement started:
Form ID:



Statement completed: 05-05-2019 04:52:09

87-BJNQLDIAAAWCKYYLF2FHV2N



[REDACTED] (When completed)

WITNESS STATEMENT

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

URN

Occurrence Number: 47190071457

Statement of: T/PS PULLEN

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

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:  #CP696 PULLEN, O.

Date: 05/05/2019 04:31

Tick if witness evidence is visually recorded

On Sunday 05th May 2019 I was on duty in full uniform assigned to police call sign WR88. At approx. 0140hrs I and a number of colleagues attended a report of an assault on the High Street, Crawley. The initial information is that a member of the public had been assaulted by a group of door staff from Deja Vu.

I arrived on scene at approximately 0145hrs. PS Cheeseman provided further details of the alleged offence and that a number of the door staff from Déjà vu has been identified as suspects by witnesses. In light of this information I and a number of officers attended Déjà vu. At the premises I spoke to the head doorman who I know to be Slawomir PIATEK DOB [REDACTED] known as Slav. I asked Slav what had happened and he stated that a customer had threatened him with a bottle. Slave stated that his body worn, which showed the incident, was being downloaded by his manager at a premises over the road.

I attended this premises and spoke to the premises supervisor [REDACTED] DOB [REDACTED] KAZEMI was in the process of viewing or downloading the body worn video when I arrived. I asked KAZEMI to show me the footage of the incident but he claimed that he could not locate it. The time on the body worn was an hour behind the correct time. I managed to establish that there was footage immediately before the alleged assault at 0028hrs and then footage immediately afterwards at 0033hrs however there was no footage of the actual incident. I concluded that either the camera had been switched off during that period or that the footage had been deleted. At 0211hrs I seized the body worn video camera which I can produce as my exhibit OTP/01.

CCTV at Déjà vu was checked. The premises has a camera covering the front of door, the CCTV shows the correct time. At approx. 0127 hours the footage showed Slav and another member of the door staff called Maciej WISNIEWSKI aka magic stood at the front door of the premises before walking off in the direction of where the assault occurred. Approx 5 minutes later both return to the premises.

10/2017

[REDACTED] (When completed)



Both Magic and Slav were arrested on suspicion of assault.

This statement has been completed at 0430hrs Sunday 5th May 2019 and forms part of my original notes of the incident.



WITNESS STATEMENT

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

URN

[Redacted]

Occurrence Number: 47190071457

Statement of: NICHOLAS WOOD

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

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:  #CW612 WOOD, N.

Date: 05/05/2019 04:37

Tick if witness evidence is visually recorded

On Sunday 5th May 2019 I was on duty in full uniform in a marked police vehicle together with PC Otway CO369 where we attended the location of DÉJÀ VU located on CRAWLEY HIGH STREET. This was to assist in the investigation concerning an assault which occurred outside the location earlier that evening and where a number of door staff from DÉJÀ VU had been arrested on suspicion of GBH assault.

On attending the premises, I was met by PS Pullen CP696 who I could see was in company of a member of door staff who I now know to be Maciej WISNIEWSKI dob [Redacted] I was informed that following a serious assault which occurred earlier outside the premises, WISNIEWSKI had been identified on CCTV as being involved in the assault.

At 0236hrs I then said to WISNIEWSKI "I AM ARRESTING YOU ON SUSPICION OF GREVIOUS BODILY HARM. THIS IS NECESSARY TO PREVENT COLLUSION WITH OTHERS". I then cautioned the male however he made no reply.

WISNIEWSKI was then escorted to our marked police vehicle where he was then conveyed to CRAWLEY custody. His detention was authorised by PS Macnab CM048.

The male was then taken to a police cell where I then seized his clothing which were individually placed into police exhibit bags which were labelled and fully sealed.

I can produce these items in Court as the following exhibits:

NPW/01 (.....) – 1 X BLACK SECURITY JACKET

NPW/02 (.....) – 1 X RED VEST

NPW/03 (.....) – 1 X BLACK TROUSER

10/2017

[Redacted] When completed)

[REDACTED] (When completed)

NPW/04 (.....) – 1 X LEFT SHOE

NPW/05 (.....) – 1 X RIGHT SHOE

I then obtained wet and dry hand swaps from the male which were also individually placed into exhibit bags. I can produce these items in Court as the following exhibits:

NPW/06 (.....) – LEFT HAND REAR WET

NPW/07 (.....) – LEFT HAND REAR DRY

NPW/08 (.....) – LEFT HAND PALM WET

NPW/09 (.....) – LEFT HAND PALM DRY

NPW/10 (.....) – RIGHT HAND REAR WET

NPW/11 (.....) – RIGHT HAND REAR DRY

NPW/12 (.....) – RIGHT HAND PALM WET

NPW/13 (.....) – RIGHT HAND PALM DRY

NPW/14 (.....) – CONTROL SAMPLE

Whilst I obtained the swab samples from WISNIEWSKI, I saw that he had sustained a small cut to the little finger of his right hand. I then took a photo of this which I can also exhibit in Court as the following:

NPW/15 (.....) – 1 X PHOTO OF CUT TO RIGHT HAND

Prior to the clothing being seized from WISNIEWSKI, I initially obtained 360 photographs of the male in the clothing that he was arrested in. I can produce these photographs in Court as the following:

NPW/16 (.....) – PHOTO OF MACIEJ WISNIEWSKI FRONT SIDE

NPW/17 (.....) – PHOTO OF MACIEJ WISNIEWSKI LEFT SIDE

NPW/18 (.....) – PHOTO OF MACIEJ WISNIEWSKI REAR SIDE

NPW/19 (.....) – PHOTO OF MACIEJ WISNIEWSKI RIGHT SIDE

This statement forms my original notes and was completed at 0432 hours the same day at Crawley Police Station.

WITNESS STATEMENT

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

URN

Occurrence Number: 47190071457

Statement of: EMMA WIGGLESWORTH

Age if under 18: Over 18 *(if over 18 insert 'over 18')* Occupation: Police Constable DW112

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:

Tick if witness evidence is visually recorded

On Saturday 4th May 2019 I was on duty in full uniform at Crawley Police station. I was screwed with PC Dart CD972. We were in a marked police vehicle call sign WR111.

At around 01:30 hours on Sunday 5th May 2019 we were called to a report of a male bleeding and unconscious in the High Street, Crawley. On arrival Ambulance have also just arrived on scene. A male I now know to be [REDACTED] has blood on his face. Paramedics took him straight into the ambulance to deal with him. I have spoken one of his friend's [REDACTED] and twin brother [REDACTED]. I have also spoken to two other witnesses. They have all said that [REDACTED] was assaulted by 5 members of door staff from DE JA VU bar which is about 60 metres away. I have tried to control the scene with my colleague with PC FARLEY CF176 and PC HOLLWAY CH284. We have requested more units to deal with the incident as we had 4 witnesses a victim and possibly a number of suspects still on scene. Once a number of other officers have arrived on scene. I have gone in the ambulance with the victim and his brother to East Surrey Hospital. At around 0:55 hours I have taken a number photographs of the witnesses and victim. I can produce these as the following exhibits:

EW/02- photograph of [REDACTED]

EW-03- photograph of [REDACTED]

EW/04- photograph of [REDACTED]

EW/05- photograph of [REDACTED]

EW/06- photograph of [REDACTED]

[REDACTED] completed)

At 04:00 hours I have downloaded my BWV and I can produce this as the following exhibit:

[REDACTED]

[Redacted] (when complete)

WITNESS STATEMENT

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

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 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 Signature] Date 3rd September 2019

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

On Monday 2nd September 2019, I was on duty at Crawley Police Station, when I reviewed video footage that had been recorded on a body worn video camera worn and operated by Slawomir PIATEK on 5th May 2019.

This body worn camera had been seized by Sussex Police as part of an investigation into an assault that had occurred in Peglar Way at the junction with High Street, Crawley.

At 1745 hours that day, I created a DVD copy of footage recorded on that body worn camera, and can produce that DVD as my exhibit marked WMJ/05.

For the benefit of those viewing the footage, it appears that PIATEK was switching the camera on to record when he actually intended to switch it off, and switching it off when he actually intended to switch it on to record.

A large proportion of the speech in the footage is in Polish, and as part of the police investigation, this has been translated into English. I have subsequently produced a transcript of the speech on the footage, using that translation, and the English speech. I produce this transcript as my exhibit WMJ/06.

[Redacted Signature]

Signature: [Redacted Signature]

Signature witnessed by: _____

MG11 5/2007

[Redacted] (when complete)

BODY WORN CAMERA - SLAWOMIR PIATEK - DÉJÀ VU

00:28:09		Polish	He was rude, shall we throw him out?
00:28:11		Polish	Yes, he is not coming in, I told him off
00:28:12		Polish	He is persistent, they push him away
00:28:17		Polish	and he keeps touching them
00:28:24		Polish	Lets take him out then

00:31:01	Slawomir	English	Maciek knock him out
00:31:02		Polish	Did Maciek swing him?
00:31:13	Slawomir	English	He's unconscious on the floor
00:31:29		Polish	Maciek made trouble for himself
00:31:31	Slawomir	English	He hit me by the bottle
	Noel	English	I know. Can't do that.
	Slawomir	English	I know.
	Noel	English	I'm gonna fire everyone of them tonight. That's it, gone. Can't do that. Maciek, Bartek, gone! Yeah, I don't care. I won't open until we get new door. I'll fucking make a phone call tomorrow and changing all the door staff.

00:34:36	Slawomir	Polish	Who hit him?
00:34:41	Slawomir	Polish	Maciek, did you hit him?
00:34:44	Maciek	Polish	He was falling down.
00:34:45	Maciek	Polish	He wanted to hit me.
00:34:47	Slawomir	Polish	I am asking you because they have it on camera.
00:34:49	Maciek	Polish	I don't know. I hit him when he was on the floor.
00:34:52	Maciek	Polish	I gave a quick punch.
00:34:58	Noel	English	Ok listen to me. Listen to me carefully. Let me fucking speak! You chased him over because he

hit him with the bottle. Tried to detain him yeah?
Tried to detail him. Started to fight him. [inaudible]
...him with a punch. That's was it, alright?

00:35:13 Polish They are going to arrest us, do you understand?

00:35:17 Polish So what has happened?

00:35:20 Polish Bloody hell, they will come, they have it all recorded.

00:35:25 Polish What do we say when Police comes?

00:35:25 Slawomir English Guy threw bottle. He try to bottle me. He hit bottle. He threw bottle. I got on camera. Bottle go on me. You ran after him and try to detain him, stop him yeah? Obviously he attack you. You punched him, yeah? That's it. No too much.

00:35:46 Slawomir Polish Ok off you go.

00:35:50 Slawomir Polish Fuck it. Maciek is in trouble.

00:36:17 Polish Bloody hell, to work with people who... (inaudible)

00:36:24 Polish I though we would catch the bottle

00:36:24 Polish They will find him

00:36:57 Polish He is in trouble. Fuck it.

00:37:03 Slawomir Polish He threw it at me. I got it on my chest.

00:37:05 Slawomir Polish The bottle hit me on my chest.

00:37:52 Polish Fucking hell. What about the cops. They will arrest us all.

00:38:09 Polish The ambulance has arrived.

00:38:15 Polish The chap is knocked down.

00:38:17 Polish They brought him around but he does not know what's going on.

00:38:19 Slawomir Polish He started to panic when I approach him.

00:38:24 Polish But remember, he attacked me.

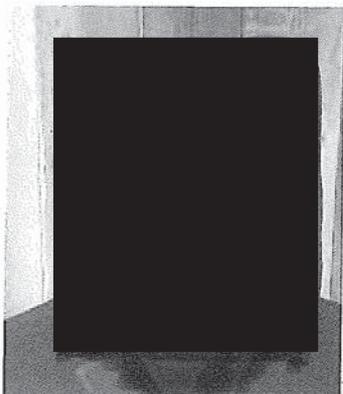
00:38:27		Polish	Because he had been asked to leave the club.
00:38:32	Slawomir	Polish	I will talk to them. I ran up shouting STOP!
00:38:36		Polish	Police will say that you shouldn't be there.
00:38:38		Polish	BUT YOU WANTED TO STOP HIM
00:38:42		Polish	Cops are coming.
00:39:45	Slawomir	Polish	He threw the bottle. It's on the camera.
00:39:47		Polish	I can not lie.
00:41:19	Slawomir	Polish	Fuck! Now we are for it.
00:41:30	Slawomir	Polish	We are all going to be arrested,
00:41:38	Slawomir	Polish	Three doormen are hitting the chap.
00:41:41	Slawomir	Polish	Two witnesses there.
00:41:45	Slawomir	Polish	An ambulance arrived. Police everywhere. It looks bloody serious.
00:41:54	Slawomir	Polish	Did you hit him?
00:41:56	Edward	Polish	I only when on floor.
00:41:58	Edward	Polish	Pressed him with my knee.
00:42:02		Polish	Remember. You wanted to hold him as he was aggressive.
00:42:16		Polish	Maciek? I do not know anything really.
00:42:30	Edward	Polish	It was very quick.
00:42:43			Ok, off you go.
00:46:59	Slawomir	Polish	He is pissed off that we ran there.
00:47:04		Polish	But I am not injured at all.
00:47:07		Polish	I shouted to you to come back.
00:47:11	Slawomir	Polish	Instead stepping back, I ran on to him, and he threw the bottle.

00:47:15	Slawomir	Polish	and I was hit on the chest.
00:47:16	Slawomir	Polish	Shame it was not on my bloody head.
00:47:30	Slawomir	Polish	I can not lie. If I had no camera...
00:47:33	Slawomir	Polish	I would say I was hit on my head. It is recorded.
00:47:36	Slawomir	Polish	Who recorded it? I did.
00:47:43	Slawomir	Polish	That car was there and he saw. I am not sure if he saw everything.
00:47:46	Slawomir	Polish	And how much it has been recorded.
00:47:48	Slawomir	Polish	Maciek is dangerous.
00:47:55	Slawomir	Polish	I don't know how it will go with the Police. I will have to make some...
00:47:59	Slawomir	Polish	...sort of explanation. For the first time I feel so bloody helpless.
00:48:11	Edward	Polish	The similar thing used to happen in the past to somebody else.
00:48:18	Edward	Polish	You never know if the chap has a medical condition
00:48:26	Edward	Polish	For example 10 years ago on London they sat on victims chest
00:48:30	Edwards	Polish	and he died.
00:48:46	Slawomir	Polish	The fact is, Maciek knocked him down in a beastly way.
00:48:50	Slawomir	Polish	And the chap has got it recorded on a camera.
00:48:53	Slawomir	Polish	The chap who arrived in Audi.
00:49:21		Polish	It would be ok to just pin him down on his chest.
00:49:29		Polish	But to keep hitting him so badly.
00:49:47		Polish	And you? He was already on the floor.
00:49:51	Slawomir	Polish	Maciek is the beast.
00:49:57		Polish	It should have been done lightly but not with such force.

00:50:04	Slawomir	Polish	It is not important what we will say, but what is recorded on the camera.
00:50:10		Polish	What that chap has recorded.
00:50:20	Slawomir	Polish	When the bottle hit me, that chap stopped his car.
00:50:21	Slawomir	Polish	And started to record everything.
00:50:24	Slawomir	Polish	Everything. When you were hitting him, when you got up and
00:50:25	Slawomir	Polish	you walked away.
00:50:27	Slawomir	Polish	So he stopped his car and ran up to him.
00:50:34	Slawomir	Polish	So its important to tell the truth now as where everybody was.
00:50:36	Slawomir	Polish	Because if you tell lies about where you been.
00:50:48		Polish	We held him down with the knee.
00:50:51		Polish	So that's what you are going to put in your statement.
00:50:52		Polish	That you wanted to stop him and you wanted to call the police.
00:50:55		Polish	But that chap had already called the police.

Telephone us on 075 [REDACTED] any time

Noel A. Samaroo (MIOl)



Noel Samaroo is widely regarded as one of the United Kingdom's leading licensing consultants.

Prior to taking up his role with NTAD Noel completed 20 years as a licensee and Designated Premises Supervisor (DPS) within a variety of London Boroughs.

He achieved his PTTLS qualification along with APLH level 2 and NAPLH level 3 and began to train candidates for their APLH 2 qualification in preparation for their Personal Alcohol Licence.

During this period Noel became increasingly aware that many, otherwise responsible, Premises Licence Holders were non-compliant with all the conditions of their premises licences, usually because of ignorance of the law under the Licensing Act 2003, and were thus putting their premises licence in jeopardy.

Noel also consults with his clients on a variety of issues surrounding compliance under the Licensing Act 2003, Food Safety Act, and the Health and Safety Act.

Noel has continued his professional development by taking and passing the National Licensees Certificate and National Door Supervisors course.

This enabled him both gain his Personal Licence and to become approved by the Security Industry Authority (SIA) as a front line operative.

In September 2011 Noel successfully applied to become a nominated tutor with EDI enabling him to carry out training in the Award for Responsible Alcohol Retailing and the Award for Personal Licence Holders Level 2 and the Level 3 Award for Designated Premises Supervisors.

Due to his wealth of experience Noel was accepted, as a full member, into the Institute of Licensing.

Licensing Officer,
Alcohol & Premises Licensing,
Planning & Environmental
Services Department,
Town Hall,
The Boulevard,
Crawley,
RH10 1UZ



Sussex Police
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Neighbourhood Licensing Team

24th September 2019

Dear Ms Plymton

Déjà Vu 26 High Street Crawley RH10 1BW

Please find attached additional evidence in relation to the Review application, submitted by Sussex Police 24th July 2019 pertaining to the premises Déjà Vu 26 High Street Crawley RH10 1BW

The further supporting information in the attached document relates to the incident of 5th May 2019. There is a statement from PC Jones, from PC Josling and the unsigned statement of Mr Samaroo. A further DVD (#4) shall be delivered to your office as soon as possible.

This additional evidence has not been forwarded to the premises licence holder nor any other interested party

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Pauline Giddings', written over a horizontal line.

Pauline Giddings

Divisional Licensing Officer
Prevention Licensing Team
West Sussex

Sussex Police, Neighbourhood Licensing Team
Centenary House, Durrington Lane, Worthing,
West Sussex. BN13 2PQ
Telephone: 01273 404030

[Redacted] (when complete)

WITNESS STATEMENT

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

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 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 20th September 2019

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

On Friday 20th September 2019, I reviewed CCTV footage from the 5th May 2019, taken from cameras installed at Déjà vu bar, 26 High Street, CRAWLEY, RH10 1BW.

The footage had been seized by Sussex Police as part of an investigation into an assault.

I am aware that the Designated Premises Supervisor (DPS) of Déjà vu, is a male known to me as Noel SAMAROO. As part of the assault investigation, SAMAROO provided a statement to PC JOSLING, but subsequently failed to sign it.

In SAMAROO's statement, he states that at the time of the assault, 0125hrs, he had been in his "office counting the cash takings for the bar", and had been "made aware of the incident happening outside the bar by another member of staff".

From reviewing the CCTV footage, I could see that at that time SAMAROO had in fact been standing on the dance floor of the premises near to the DJ booth. As the door supervisor, Bartlomies MYCA, runs out of the premises towards the smoking area, SAMAROO can be seen on several camera feeds to immediately follow him outside, and then walk across the front of the premises, southbound, towards the scene of the assault.

I have created a DVD of CCTV footage from the cameras of Déjà vu, which I can produce as my exhibit marked WMJ/07

[Redacted]

Signature: [Redacted]

Signature witnessed by: _____

MG11 5/2007

[Redacted] (when complete)

[Redacted] (when complete)

WITNESS STATEMENT

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

URN

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Statement of: James JOSLING

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable CJ384

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

Signature: [Redacted]

Date 24/09/2019

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

I am based at Crawley investigation department in West Sussex and my role includes the investigation of various criminal allegations. At the end of June 2019 I was passed an investigation in relation to an alleged assault that had taken place outside deia yur bar in Crawley on 5th May 2019, this matter had already been partly progressed by a previous officer. [Redacted]
I was aware from the report that a statement taker had emailed Noel SAMAROO in the hope of obtaining a statement from him with regards the assault. This email was sent on Wednesday 26th June 2019 and no response was received. A phone call was also made on Monday 1st July to SAMAROO by the same statement taker and he left a voicemail after there was no answer. A further attempt was made to contact SAMAROO by mobile phone on Tuesday 2nd July 2019 without any success [Redacted]
On 6th August 2019 I managed to make contact with SAMAROO via his mobile phone and he agreed to provide a statement, due to his work schedule it was agreed that he would give me details over the phone and then I would send him a statement via email for him to edit as he sees fit and then once happy he would return the statement to me. I would then arrange for the statement to be signed by him in my presence. SAMAROO emailed me later on the 6th August with details of what he saw and this was the basis of the statement that I completed and emailed to SAMAROO on 12th August 2019. [Redacted]
On 21st August 2019 I sent a further email to SAMAROO asking if he had received the email with the statement, I also copied in his solicitor Lex HURLEY so that they were aware of the statement. I have tried various phone calls without success since then to SAMAROO and now accepted that SAMAROO is not willing to sign the statement, it has extended the investigation time frame due to the wait and caused unnecessary delays due to his unwillingness to cooperate with me in the investigation. [Redacted]
I can provide a copy of the unsigned statement as JCJ/01 [Redacted]

[Redacted]

[Redacted]

[Redacted]

[REDACTED] (When completed)

WITNESS STATEMENT

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

URN

47 [REDACTED]

Occurrence Number: 47190071457

Statement of: NOEL SAMAROO

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Company director

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:

Signature Witnessed By: _____

Unsigned by
Witness

Statement Locked By: [REDACTED]

Tick if witness evidence is visually recorded

On 5th May 2019 I was working at Déjà vu Bar in Crawley High Street where I am the designated premises supervisor. At around 0125hrs I was in my officer counting the cash takings for the bar when I was made aware of an incident happening outside the bar by another member of staff.

I then went to the front of the venue and my head doorman, Slawomir PIATEK was walking back towards the venue from the corner of the High street some 15 yards away.

I asked what had happened he informed me that two males were asked to leave the venue for reported sexual misconduct, the males became aggressive and threatening. As they waked away from the venue one male picked up a bottle that he found laying on the floor close to the dustbin he threatened to throw it either at the girls in the smoking area or the door staff the head doorman ran towards him so as to protect the people in the smoking area the male threw the bottle at him hitting him in the chest.

The friend with this male then preceded to become aggressive as well. Another doorman chased after them to stop and detain them so that the police could be called.

One male was detained on the ground the other males threw a punch at one of the other doormen and sustained a punch back.

PIATEK, my head doorman was not involved with detaining the aggressors but was seriously assaulted himself and narrowly escaped serious injury.

10/2017

[REDACTED] (When completed)

I told him that I would be dismissing all of the door team them if after I carried out my own internal my investigations I find any impropriety had taken place. The three door men that were involved with the detaining of the aggressors were: MACIEK WISNIEWSKI, BARTLOMIEJ MYCA and EDWARD SUSZEK

Subsequently I suspended all of the door team while I carried out an internal investigation of the incident.

I was happy that the door team did not act in any way unprofessionally but acted to protect the public and to detain the aggressors for the police. I did not witness anything of the assault first hand.

This page is intentionally left blank

From: NTAD Consultants [<mailto:info@ntad.co.uk>]
Sent: 19 September 2019 17:11
To: Plympton, Kareen <Kareen.Plympton@ Crawley.gov.uk>; 'info@deja-vu-bar.co.uk' <info@deja-vu-bar.co.uk>
Cc: Lyons, Michael <Michael.Lyons@ Crawley.gov.uk>; Guest, Jackie <Jackie.Guest@ Crawley.gov.uk>
Subject: RE: IMPORTANT Rescheduled review hearing - DEJA VU High Street, Crawley.- 10.30am Tuesday 08th October 2019. - Premises Licence Number:-16/001916/LAPRE

Dear Kareen,

Thank you for your email. I'm becoming increasingly frustrated by the seemingly inability or delay tactics of the Ambulance service and police to forward the information we have requested under FOI act.

It is a great concern to me that we are trying to put together our defence bundle that you need to be in possession of by the 1st October.

Obviously this needs time to be printed, paginated and to give sufficient time for the committee members to read and digest it before our hearing on the 8th.

I can confirm I will be in attendance along with supporting witnesses. I will forward these details to you as soon as possible.

Please also find attached correspondence emails with police and ambulance services.

Kind regards
Noel

This page is intentionally left blank

-----Original Message-----

From: Plympton, Kareen

Sent: 30 September 2019 19:37

To: Pedlow, Chris <Chris.Pedlow@crawley.gov.uk>

Subject: FW: Deja Vu Review

APPENDIX M

-----Original Message-----

From: Deja-Vu-bar [<mailto:info@deja-vu-bar.co.uk>]

Sent: 29 September 2019 19:18

To: Plympton, Kareen <Kareen.Plympton@crawley.gov.uk>; Lyons, Michael <Michael.Lyons@crawley.gov.uk>

Cc: sharon@metrolaw.co.uk; Gary Grant <gary.grant@ftb.eu.com>; David Gair <davegair@shieldassociates.co.uk>

Subject: Deja Vu Review

Dear Kareen,

Thank you for the information regarding the police evidence bundle.

Because of the time constraints regarding receiving and trying to somehow digest and put together our defence bundle, with the total lack of cooperation from the Police and Ambulance Service.

More importantly the escalation of the review to a Revocation request.

I am formally requesting that the committee kindly grant me a further adjournment.

I feel that without this my defence and rebuttal of any new evidence or allegations my defence is severely hampered.

I do understand that this is very late notice but as I am sure you can understand I am not being given much choice by the Police.

Kind regards

Noel Samaroo

Deja Vu Clubs Ltd

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-----Original Message-----

From: Plympton, Kareen

Sent: 30 September 2019 09:39

To: 'Deja-Vu-bar' <info@deja-vu-bar.co.uk>; Lyons, Michael

<Michael.Lyons@crawlley.gov.uk>

Cc: sharon@metrolaw.co.uk; Gary Grant <gary.grant@ftb.eu.com>; David

Gair <davegair@shieldassociates.co.uk>; Baldock, Tony

<Tony.Baldock@crawlley.gov.uk>; 'Warren.jones@sussex.pnn.police.uk'

<Warren.jones@sussex.pnn.police.uk>;

'Pauline.Giddings@sussex.pnn.police.uk'

<Pauline.Giddings@sussex.pnn.police.uk>

Subject: RE: Deja Vu Review

Importance: High

Dear Mr Samaroo,

I have passed this matter to our Democratic Services Team. This is not something I can determine. I will be in touch shortly.

Regards,

Kareen Plympton

Team Leader – Health, Safety and Licensing Crawley Borough Council, The
Boulevard, Crawley, West Sussex, RH10 1 UZ

01293 438023

www.crawley.gov.uk

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From: David.Bateup@sussex.pnn.police.uk [mailto:David.Bateup@sussex.pnn.police.uk]

Sent: 30 September 2019 15:50

To: Plympton, Kareen <Kareen.Plympton@crowley.gov.uk>

Cc: Robert.lovell@sussex.pnn.police.uk; Warren.jones@sussex.pnn.police.uk;

Pauline.Giddings@sussex.pnn.police.uk

Subject: Review hearing for Deja Vu

Dear Kareen,

Further to our phone conversation today re the proposal to adjourn the committee date for Déjà vu a second time, this time from Tuesday 8th October until Friday 18th October.

The hearing date has already been postponed at the request of Mr Samaroo from 17th September to the 8th October. The original review papers were served on the 24th July 2019, which from 25th July to the day before 8th October is 76 days.

PC Warren Jones is our essential key witness at the hearing as he has been instrumental in dealing with the premises and having meetings and communications with the DPS/PLH. PC Jones has already confirmed that he is not available on the 18th October. Furthermore after the 8th October PC Jones will be off work for a number of months following a surgical procedure.

Mrs Giddings is the police licensing officer, who working with PC Jones, is the other key witness and is the author of the review application as well as the person who put together the evidence bundle. Therefore Mrs Giddings presence at the hearing will also be essential in order to assist the Committee Mrs Giddings does not work Thursday and Fridays, and due to personal commitments outside of work is unable to change her working days to attend a rescheduled hearing on a Friday.

I am in the process of checking with our barrister and have yet to receive a reply, but I also anticipate that it is very unlikely they will be able to attend on the 18th October at this short notice either.

In conclusion Sussex Police request that the hearing date on the 8th October is kept please as key witnesses and contributors for Sussex police will not be available after that date.

Thank you.

David

David Bateup
Police Licensing Officer

Direct Dial: 01273 470 101 ext 581 214

Licensing office: 01273 40 40 30

david.bateup@sussex.pnn.police.uk

Neighbourhood Police Licensing Team
West Sussex Division, Centenary House, Durrington Lane,
Worthing, West Sussex, BN13 2PQ

-----Original Message-----

From: Plympton, Karen

Sent: 30 September 2019 16:46

To: 'Deja-Vu-bar' <info@deja-vu-bar.co.uk>; 'Holly Yandall'

<holly.yandall@westsussex.gov.uk>;

'WS_Licensing_WOR@sussex.pnn.police.uk'

<WS_Licensing_WOR@sussex.pnn.police.uk>;

'businessfiresafety@westsussex.gov.uk'

<businessfiresafety@westsussex.gov.uk>;

'PublicHealth.Licensing@westsussex.gov.uk'

<PublicHealth.Licensing@westsussex.gov.uk>; 'Holly Yandall'

<holly.yandall@westsussex.gov.uk>; 'Warren.jones@sussex.pnn.police.uk'

<Warren.jones@sussex.pnn.police.uk>;

'Pauline.Giddings@sussex.pnn.police.uk'

<Pauline.Giddings@sussex.pnn.police.uk>;

'David.Bateup@sussex.pnn.police.uk' <David.Bateup@sussex.pnn.police.uk>

Cc: 'sharon@metrolaw.co.uk' <sharon@metrolaw.co.uk>; 'Gary Grant'

<gary.grant@ftb.eu.com>; 'David Gair' <davegair@shieldassociates.co.uk>;

Lyons, Michael <Michael.Lyons@crawley.gov.uk>; Guest, Jackie

<Jackie.Guest@crawley.gov.uk>; Baldock, Tony

<Tony.Baldock@crawley.gov.uk>; Matthews, Mez

<Mez.Matthews@crawley.gov.uk>; Pedlow, Chris

<Chris.Pedlow@crawley.gov.uk>; Williams, Astrid

<Astrid.Williams@crawley.gov.uk>

Subject: Deja Vu Review

Importance: High

Good afternoon,

Application to further adjourn application to Review Premises Licence, Licensing Act 2003 from Scheduled Adjourned Hearing - 8th October 2019 (Original Hearing date 17th September 2019) Déjà Vu, 26-32 High Street, Crawley RH10 1BW

Mr Samaroo, on behalf of Déjà vu Limited as the Premises Licence Holder and himself as the Designated Premises Licence Holder (DPS) has made an application to further adjourn the above matter. The grounds seeking the adjournment are listed in his email below.

The matter has been referred to the Councils Democratic Services Team. It has been considered in accordance with the Councils Scheme of Delegations by the Deputy Chief Executive, Ian Duke in the absence of the Head of Legal, Democracy and Human Resources, Ann-Maria Brown.

In considering the application for an adjournment, submissions by Mr Samaroo, as detailed below, and Sussex Police, were duly considered. A copy of their submission is attached.

A decision has been made to refer the matter to the Licensing Sub Committee on 8th October 2019 where Members will determine whether or not to allow a further adjournment.

This may result in the case being adjourned or the case being heard in full.

Please be aware that you should ensure that any witnesses you wish to call as part of the Review Hearing should attend on this date in any event.

I attach a copy of the Committee Procedure for your information. Please familiarise yourself with this, particularly in relation to the submission of evidence.

Please contact me if I can assist further.

Regards,

Kareen Plympton
Team Leader – Health, Safety and Licensing Crawley Borough Council,
The Boulevard, Crawley, West Sussex, RH10 1 UZ
01293 438023
www.crawley.gov.uk