

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.

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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.

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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

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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:

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Signature witnessed by:

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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:

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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.**

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.

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)

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:

SUSSEX POLICE
(when complete)

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

URN

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Statement of: 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:  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   knows him because he is a regular to the bar and is also friends with our promotion girl  although she had left by the time of the incident.

Signature:  Signature witnessed by:

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.

WITNESS STATEMENT

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

URN

[Empty box for 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: [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.

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.

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

[Empty box for 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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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 down load 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

Hi warren,

It is proving to be quite a task to fulfil your request that we down load 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: 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,

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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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

<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]@p.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. Wasowski	10127204 94130127	07/20	21:00	03:00	[Redacted]
R. Simmonds	10163165 3665396	01/20	21:00		[Redacted]
E. SUSZEK	10164486 09656090	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"

Head Doorman (if door team on duty)

Duty Manager

✓

Signature



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).**
