

Reference: 2011/01760/01SRAP

Hearing:

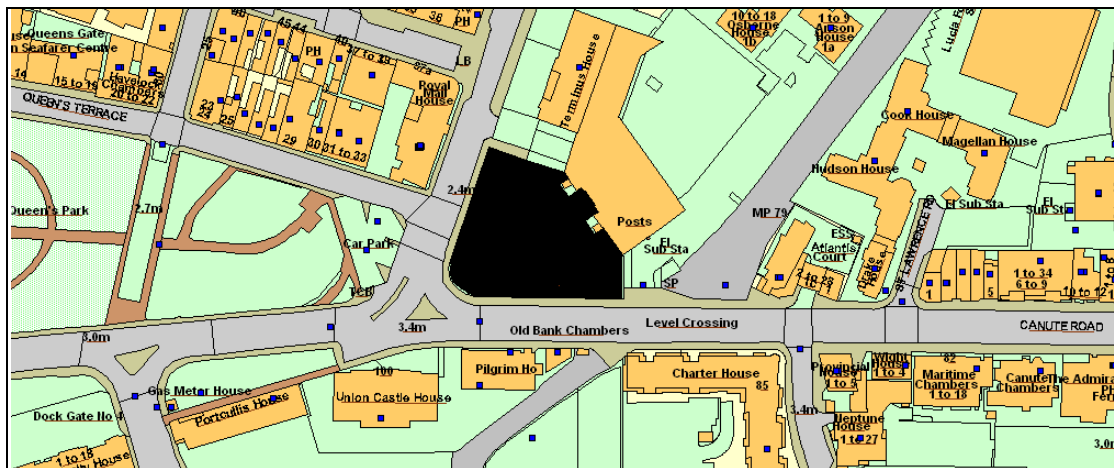
8th September 2011

Application for Review of Premises Licence

Premises Name: Grand Cafe
 Premises Address: 1 South Western House
 Canute Road
 Southampton
 SO14 3AA

Application Date: 7th July 2011
 Application Received Date: 12th July 2011

Application Valid Date: 12th July 2011



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Representation From Responsible Authorities

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	Yes	
Hampshire Fire And Rescue - Licensing	Yes	
Environmental Health - Licensing	No response received	
Planning & Sustainability - Building Control - Licensing	No response received	
Planning & Sustainability - Development Control - Licensing	No response received	
Hampshire Constabulary - Licensing	No	See attached representation
Trading Standards - Licensing	Yes	

Other Representations

Name	Address	Contributor Type
None		

Legal Implications

1. Part 3 of the Licensing Act 2003 provides that a responsible authority of a resident or business in the vicinity (interested party) may apply for review of a premises licence.
2. The grounds of review applications must relate to one or more of the licensing objectives.
3. In such circumstances, the applicant for the review must serve a copy of the review application on the holder of the premises licences, the City Council and each of the responsible authorities.
4. On receipt of the application for review, the officers will consider its validity, under delegated powers. Reasons for rejection, in whole or in part, include:
 - that the grounds for review are not relevant to one or more of the licensing objectives and;
 - (in the case of an application not made by a responsible authority), that the application is frivolous, vexatious or repetitious.
5. The City Council must, within one day of receiving the application for review, display a prescribed notice of the review application on the outside or adjacent the premises; the notice must remain on display for 28 days and any interested party in the vicinity or the responsible authorities may make representations in that period.
6. Unless the applicant, licence holder, interested parties and responsible authorities agree that a hearing is unnecessary, the City Council is then required to hold a hearing to consider the review.
7. The sub-committee, in considering the application for review, must have regard to the adopted Statement of Licensing Policy and evidence before it at the hearing.
8. The Licensing Act 2003 provides that, in determining an application for review, the sub-committee may take any (or none) of the following steps, as it considers necessary:
 - modify the conditions of the licence;
 - exclude a licensable activity from the scope of the licence;
 - remove the designated premises supervisor;
 - suspend the licence for a period not exceeding three months;
 - revoke the licence.
9. The Licensing Act 2003 makes provision for appeal to the Southampton Magistrates' Court against the sub-committee's decision in relation to an application for review.
10. In considering this application the sub-committee will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the sub-committee must make its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching its decision.
11. Copies of the application for review and the Police objection are annexed to this report.
12. The sub-committee must also have regard to:-
13. *Crime and Disorder Act 1998*

Section 17 of the Crime and Disorder Act 1998 places the Council under a duty 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, crime and disorder in its area.

14. Human Rights Act 1998

The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another person's Human Rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affect another's rights must be no more onerous than is necessary in a democratic society. The matters set out in this report must be considered in light of the above obligations.



Application for the review of a Premises licence or Club Premises certificate under the Licensing Act 2003

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

I Michael Sullivan PC 2193, on behalf of the Chief Officer of Hampshire Constabulary, *(Insert name of applicant)*

Apply for the review of a premises licence.

Apply for the review of a club premises certificate. *(Select as applicable)*

Premises or Club Premises details

Postal address of premises:	Grand Café 1 South Western House Canute Road Southampton
Postcode <i>(if known)</i> :	S014 3AA

Name of premises licence holder or club holding club premises certificate <i>(if known)</i> Mustang Sallys Ltd 32 Bernard Street Southampton SO14 3AY

Number of premises licence or club premises certificate <i>(if known)</i> 2011/00594/01SPRM
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Details of responsible authority applicant

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank: Police Constable
Surname: Sullivan First Names: Michael
Current postal address : Southampton Central Police Station Southern Road Southampton
Postcode: SO15 1AN
Daytime telephone number: 023-80674768
E-mail address: <i>(optional)</i>

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003



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

- | | |
|---|-------------------------------------|
| | <i>Select one or more boxes</i> |
| 1) The prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) Public safety | <input checked="" type="checkbox"/> |
| 3) The prevention of public nuisance | <input type="checkbox"/> |
| 4) The protection of children from harm | <input checked="" type="checkbox"/> |

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:

This review is brought by Hampshire Constabulary as a responsible authority under the Licensing Act 2003 as the management of these premises have failed to ensure that their staff are capable of providing images from the CCTV system installed at these premises in order to enable Police Officers to thoroughly investigate incidents of crime and disorder, in addition to hampering the Police's ability to properly investigate allegations of crime, one camera attached to the CCTV system which covers the area outside the entrance to the premises fails to record suitable images due to the lack of a light source, despite requests this camera has not been replaced with an Infra Red camera.

A person under the age of 18 years gained entry to the premises and obtained alcohol, and there have been incidents of crime and disorder at the premises which have highlighted management issues leading the Police to seek this review.

These impact upon three of the licensing objectives as highlighted above.

On the basis of the evidence outlined below, Hampshire Constabulary would wish to achieve the following :

That a condition relating to the installation, operation and management of the CCTV system at the premises be added to the Premises Licence thus :

CCTV

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system should be able to cope with strobe lighting and all levels of illumination throughout the premises as well as outside areas.

The CCTV system must be operating at all times whilst the premises are open for licensable activity.

All equipment shall have a constant and accurate time and date generation.

There shall be sufficient members of trained staff available during operating hours to be able to provide viewable copies on request of the Police or local authority. Any images



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recovered must be in a viewable format on either disc or VHS.

The recording system will be able to capture a minimum of 4 frames per second.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

CCTV warning signs to be fitted in public places.

Recordings to be kept for a minimum of 28 days.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS **MUST** report the failure to the Police on contact number 023 80674768 immediately .

Incident book

An incident book will be provided and maintained at the premises and there will be a daily debrief of door staff (where used) at the close of business which will be evidenced in writing by the Manager on duty. Should there be no incidents then this will also be recorded at the end of the shift in the incident book.

The incident book will remain on the premises at all times and will be available to police upon request.

The book shall detail in brief, incident of injury/ejection/refusals/drug misuse/ i.d seizure/age challenge. Where there is an injury, ejection of physical altercation the entry shall be timed, dated and signed by the author. If the member of staff involved has difficulties reading or writing then the entry may be written by another party. This should however be read back to the person involved and counter signed. Should there be any physical interaction by members of staff and public the entry will include what physical action occurred between each party.

Challenge 25

There will be a Challenge 25 policy operated at the premises. Challenge 25 meaning that the holder of the premises licence shall ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification acceptable to the licensing authority proving that individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.



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Toilet Checks

The public toilets within the premises shall be checked every 30 minutes when the premises are open for licenseable activity, and a record will be kept of the results of such checks.

Staff Training

Staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; signs and symptoms of drunk persons, refusal of sale due to intoxication and that records are kept of such training, which are signed and dated by the member of staff who has received the training; that staff receive refresher training every six months as a minimum and that records are signed and dated by the member of staff are kept of this refresher training. Records will be available for inspection by Hampshire Constabulary and the licensing Authority.

Polycarbonate - Relating to the Basement Club Area Only

All glasses used at the premises will be polycarbonate and the contents of all glass bottles will be decanted into polycarbonate glasses.

In summary the Police evidence to support this application is as follows :-

On the 10th January 2010 a 17 year old female reported that she had been sexually assaulted by a member of the door staff whilst inside the premises.

On that night the CCTV was found to be not working.

Occurrence 44100010918 refers.

The aggrieved alleged that she went to the premises with her 18 year old friend, she went into the premises but was not allowed into the basement club as there was a ticketed event on for which she had no ticket, it appears that she was not asked for any proof of Age or Identity and alleges that she was then seriously sexually assaulted by the doorman.

She also alleged that following this she was given a bottle of beer from a table in the premises by a barman which she drank.

This incident raises Police Concerns as it shows that the Licensing Objectives were not being supported in that -

Whilst investigating the allegations Detectives were told that the CCTV was not working that night due to an electrical fault.

When investigating a serious allegation such as a serious sexual assault on a 17 year old female in a nightclub, immediate access to CCTV footage is of great importance in order to assist establish the facts.

The CCTV being out of service and not recording at this time without the management being aware and taking steps to rectify the situation clearly demonstrates that the licensing



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objectives were not being considered at this time, and shows the need for a condition ensuring that such checks are carried out in the future.

The alleged aggrieved in this case being just 17 years of age and being within a nightclub clearly highlights the need for a Challenge 25 condition that will ensure that Age and Identity checks are carried out at these premises.

By allowing a 17 year old female to consume alcohol on the premises clearly shows the need for a condition ensuring that staff training is given and recorded in order to prevent the sale and consumption of alcohol by persons under the age of 18 years.

On the 22nd January 2010 a meeting was held between Sgt Ivan Marshman of the Southampton Police Licensing Unit, the General Manager of the premises Ricky Hatfield, Mr Steve Hughes an owner of the premises and Richard Black from Southampton City Council Licensing.

At this meeting it was agreed that a new CCTV system would be installed by the 25th January 2010 and a management plan would be drafted between all parties.

On the 22nd January 2010 correspondence by email was sent to Mr Black by Mr Hughes confirming that their CCTV system is being repaired and updated the week commencing the 25th January 2010 and that it will record for 28 days, and that once the job is completed all management will be trained in its use.

On the 26th February 2010 Sgt Marshman inspected the CCTV at the premises, he noted that the staff were a "Little bit rusty" on how to use it, but that they got there in the end. The footage covering the dance area isnt great but catches people going into and out of the club, he also noted that they need a special camera that works in low light to cover this area.

On the 23rd April 2010 Police responded to an altercation where several persons had been ejected from the premises.

Occurrence 44100164630 refers.

Upon arrival officers came across a drunk male with a deep cut to his head who alleged that he believed he had been hit with a bottle, other persons present suggested that he may have in fact stumbled into a door frame head first thereby causing the injury, however no one present could clearly state this was the case and the injured party refused to accept that this may have been the case, in order to establish clearly what had happened the Police requested that they be able to view the CCTV, however the manager Eddy Pede was unable to work the CCTV system so the officers were unable to establish what had happened at the time.



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The CCTV was requested by officers and this was eventually obtained a week later on the 1st May 2010 and viewed by Police, the officer viewing notes that " It shows the incident occur in the lobby area and (The Male) is seen to fly through the air, stumbling at speed, head first into the corner of the doorframe. This is clearly what has caused the injury. There is no evidence to suggest that he was pushed by any body. He was definately drunk and was being ejected for rowdy behaviour. No body appears to push him or assault him in anyway.

This is another incident which highlights that the premises were not supporting the Licensing Objectives by ensuring that staff could effectively operate the CCTV , this prevented the immediate investigation of this allegation, the male being so drunk on the premises shows again the need for Staff Training in order to meet the Licensing Objectives.

On the 6th May 2010 Sgt Marshman emailed Mr Hughes to inform him of this and to advise him that he was not upholding the agreed management plan.

Sgt Marshman received a reply stating that he thought the Police were being totally unfair stating, he states that there has been a total management change at the premises since the meeting with Sgt Marshman and the new staff are being trained in the use of the CCTV system, however the GM (General Manager) does know how to use the system, he then refers to the GM as Eddy Pede, this appears to be contradictory as on the night officers attended he clearly didn't.

On the 7th May 2010 Sgt Marshman contacted Mr Hughes to discuss the email and the problems with regards to the CCTV, he explained that all 3 managers had recently changed which was why the CCTV could not be viewed at the time.
He stated that Eddy Pede the GM will have everyone trained by next Friday.

On the 20th May 2010 Sgt Marshman viewed the CCTV with Eddy Pede who could operate it, he noted that all 3 managers have been trained, and that Mr Pede has produced a guide for staff to be able to download what is required.

On 12th September 2010 PC Prior and PC Boxall from the Police Licensing Unit paid a visit to the premises.

PC Prior reports that - On arrival at 2353 hours we introduced ourselves and headed downstairs and said hello to Eddie PEDE and then checked both the male and female toilets with both AIO.

Then in the entrance to the club downstairs a female appeared, I believe her to be staff but possibly MOP asking for paper towels to clear up sick, the female responsible for this had



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been taken upstairs. I went into the club and made my way round the dance floor and in one of the seating areas a female in a red top was sat with her head in her arms on the edge of the seating area not moving, I went and spoke to Eddie and the doorstaff and asked what they were doing about the woman in the red top and they both kept saying that's its ok they've taken her upstairs, in the end I assured them there was still a female passed out in there and pointed her out. I watched Eddie go over to the female and be unable to rouse her. Eventually a member of doorstaff from upstairs came down and carried her up and she was roused but very drunk and unable to stand unaided.

This shows that the Door Staff and the Bar Staff were not promoting the Licensing Objectives by ensuring that persons within the premises were not consuming excessive amounts of alcohol.

On 22nd September 2010 PC Prior and Sgt Marshman attended a meeting with the DPS Eddie Pede to explain the reason for the recent licensing visits.

During this visit the Incident book was requested but he could only provide one incident sheet from the 1/05/10 - he stated that the door team tended to e-mail reports through. He was told it was best practice to have a book and for the incidents to be written in there as and when they happened, that any refusals of entry / ejections were put on tally chart on the incident book as good evidence for them. If there is no incidents then it to be signed as such each time.

This would appear not to be being done despite the assurance given by Mr Hughes in his email dated 22nd January 2010 that this would be done as part of the "Management Plan" to support the Licensing Objectives.

on the 7th November 2010 Police were called to attend DOCK GATE 4 to a female reporting that she had been assaulted.

Occurrence 44100472367 refers.

The aggrieved explained that she was dancing on the dancefloor when. The female responsible had left prior to police arrival and the aggrieved did not know who she was. CCTV was considered and when doorstaff were spoken to they stated it would be unlikely that it was caught on camera as there is hardly any cameras in that area.

There is in fact 1 camera in this area which as Sgt Marshman previously noted on the 26th of January at the beginning of this year isnt great but catches people going into and out of the club, again he noted that that they need a special camera that works in low light to cover this area.

This shows that Sgt Marshmans recommendation had not been acted upon during the inteverning 10 months.



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On 19th March 2011 at about 0200 hrs an assault occurred at the premises where a man was bitten on the nose on the steps to the entrance.

Occurrence 44110114742 refers.

The aggrieved has accidentally bumped into the suspect whilst walking up the stairs to leave the club, once outside the door of the club the suspect approached the aggrieved and bites his nose clamping onto it causing the injury which amounts to Greivous Bodily Harm, at the time of the incident the doorstaff were inside the premises.

The attending officer noted that -Staff at Dock Gate 4 were unable to access the CCTV system due to no one on site being able to work it, they were told that David PEARSON the General Manager (Mobile number supplied) would be be available for footage to be downloaded during the day 19/3/11.

DC Bradley attended the premises on the morning of 19/03/11 but staff at that time were unable to download the CCTV.He states that he has called the manager David Pearson who is the only person who can access the system, twice and his phone is not being picked up. He returned to Dock Gate 4 later in the day and see's Mr Pearson, who was not able to operate the CCTV system.

He was told that "Kristoff" a member of staff will be on duty (Later) and that he is able to operate the system.

He notes that the time on the system appears to be one hour ahead of current time.

This yet again highlights the need for weekly checks on the CCTV to ensure it is set and operating correctly as the time on the system has not been changed since the clocks would have gone back in October of last year, there was also no member of staff available to download footage from it.

Both issues demonstrate that the Licensing Objectives are not being promoted.

Later that same night another officer PC Storey attended the premises to take a statement from a member of door staff regarding this incident, at that time though (9pm) the person who can download the CCTV was busy at work and so was unable to download it due to the time it takes.

Doorstaff advised her that the CCTV does cover outside but it is always too dark to see anything as there is no lighting.

On the following day Sunday the 20th March 2011DC Bradley returned to the premises at 1500 hrs to recover the CCTV that may show the incident, however the CCTV had developed a fault requiring an engineer to be called the next day.

Once again this highlights the need for weekly checks on the CCTV to ensure that the system is functioning correctly.This situation could have been avoided if regularly checked

It took a further 5 days to receive the CCTV.

On the 29th March 2011 PC Channell attended premise and spoke to DPS David PEARSON



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about the CCTV, she notes that the footage for the recent incident (bite on nose) has now been downloaded and provided to DC Bradley. It captures the 2 men bumping into each other just inside but does not capture the incident outside on the steps.

This is because the camera outside just shows darkness, they are not allowed to put a light up as it is a listed building. Mr Pearson stated that an infra red camera would be good but that it is a financial issue with management reluctant to spend the money.

He has now read the manual and taught himself to operate the CCTV system. He was able to play back footage whilst I was present. His head door man is now also able to play back and download footage.

She explained to him that although it was a different management team, there had been problems with CCTV before at the premises and further problems may lead to a review of the license to request that CCTV conditions be added.

Following that visit to PC Channell sent a letter on the 30th March 2011 to Mr Pearson the Designated Premises Supervisor drawing attention to their conversation concerning the management plan agreed in January 2010 and the incident of 19th March 2011 where footage could not be downloaded at the time and the subsequent delay in retrieving the images required due to a fault with the system.

She points out that if the system had been checked on a regular basis to ensure that it was recording then this problem may not have arisen.

In addition it was pointed out that the assault took place outside the entrance to the premises, this was not captured on the images that were subsequently provided to the Police due to the lack of lighting in that area, as due to the premises being a listed building no light is permitted to be fixed there.

PC Channells suggests that consideration should be given to the installation of of an Infra Red Camera at this location as should one have been fitted at this location images may have been captured that may have assisted the investigation of this offence.

On Sunday 29th May 2011 @ around 0140 hours Police were called to the Grande Cafe (old dock gate 4) following reports a male had been assaulted and whilst on the floor he had his head stamped on.

Occurrence 44110222339 refers.

The attending officer thought the aggrieved was dazed and extremely drunk. He had blood over his face, arms and clothes. He had a small cut to the right hand side of his lip.

Doorstaff stated they were alerted to the injured male after the incident.

The suspect was detained by a member of doorstaff until Police arrived and arrested him, Door Staff did not witness the assault. Initially a member of doorstaff told PC Minnock that there was no CCTV of the incident, however when pressed stated that there would be some but it would be of very poor quality and would not be available until 1700 hrs later in the day and that he couldn't do it at the time without a flash drive.

The duty manager was spoken to who stated that she did not know how to download the the footage and that it would have to be a member of the day staff that would have to come in



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and do it, she stated she would secure it for 1000 hrs.

The area where the incident took place is the same unlit area outside the entrance to the premises, where only two months earlier Police had advised the installation of an Infra Red Camera and which had not been done.

The Door Supervisor stating that he is unable to download footage without a flash drive also appears to contradict what Mr Pearson told PC Channell on her visit to the premises on the 29th March 2011 i.e. that his head doorman was able to playback and download footage.

On the 17th June 2011 at appx 2355 hrs Police were called to Grand Café following reports of a fight.

Occurrence 44110253287 refers.

Officers report that on their arrival a large group were still fighting with each other outside.

The fight started inside the basement club on the dancefloor, involving two groups of males, the groups were ejected but they started fighting again.

Bottles were allegedly used on the dance floor, the doorstaff stated that there were bottles on the floor and some broken glass, but nothing identifiable to that particular incident.

A male aggrieved stated that he had been bottled twice but couldn't identify anyone in particular at the time. He initially declined an ambulance, but then collapsed onto the floor, he was taken to Hospital.

A witness a friend of the aggrieved pointed out a male suspect to Police who was arrested for assault.

Both groups were making allegations regarding bottlings and punches.

Officers report that no CCTV at the premises was available that evening, but would be available later that day.

One of the males in the older group, was particularly vocal and abusive at the time, but the doorstaff did not point him out as specifically being involved in the assaults, however a Door Supervisor later provided a statement in which he states that this male was the most violent and that he saw him assaulting a male outside.

Had this information been provided at the time this male could have been arrested at the time, he will now have to be arrested later showing that the Licensing Objectives were not being supported.

The investigating officers report that the following day the arrested male was released on Police bail to return at a later date as the CCTV from the premises was still unavailable whilst he was in custody.

The CCTV footage was obtained the next day and has been reviewed by the Police there is only one camera covering this area, it shows a fight taking place, but it just shows figures and there is no chance of identifying any clothing or faces from this as the camera is positioned too far away.



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The allegations that individuals were "Bottled" during this incident coupled with doorstaff confirming that there were bottles and broken glass on the dance floor area would seem to show the need to use Polycarbonate drinking vessels within this part of the venue, this incident happened on the dance floor where there is no low level capable CCTV coverage, a camera with this capability needs to be installed so that the Licensing Objectives are supported regarding both these issues.

On Wednesday the 22nd June 2011 Sgt Marshman and PC Sullivan from the Police Licensing Unit attended a meeting at the premises.

Whilst at the premises we went with Mr Pearson to observe the CCTV system.

Mr Pearson then showed us the system working Camera 1 covers the back door to the premises, Camera 2 shows the internal door to the residents entrance to the lobby of the apartments above the premises they were misaligned, Cameras 3, 4 and 5 are currently not working.

The Camera covering the exterior view of the front entrance and steps does not record viewable images during the hours of darkness.

There is one camera in the basement bar which does not show clear images of the dance floor area due to poor light levels.

It is evident from the information shown above that the Premises Licence holders are not abiding by their promises to ensure that CCTV footage is captured and made available to the Police when required. Despite verbal and written advice no action has been taken to replace the exterior camera covering the front entrance with an Infra Red Camera, this has led to evidence being lost.

It is necessary to record weekly checks ensuring that the CCTV is working correctly within an Incident Book in which detailed accounts of incidents and which staff were on duty and dealt with them are recorded.

Staff training should be provided to all relevant staff to prevent the sale and consumption on the premises by persons under the age of 18 years.

Polycarbonate drinking vessels should be used in the basement club area of the premises in order to prevent further incidents occurring where persons allege they were injured by bottles and glass.

The Police would suggest that this review is necessary in order to attach relevant licence conditions to ensure that the Licensing Objectives are properly supported.

Copies of documents that the Police will refer to support this review are attached to this application with an accompanying index describing each one.

Have you made an application for review relating to these premises before: Yes | No



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If yes please state the date of that application:

/ /
Day Month Year

If you have made representations before relating to this premises please state what they were

Not Applicable

Please tick

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

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

Signature of Officer Completing

Name M. Sullivan

Signature: _____

Collar Number: PC 2193

Date: 07/07/2011

Signature of Authorising Officer (Inspector or above)

Name P. Bates

Signature: _____

Collar Number: PC Insp, 5012

Date: 7/7/11

Grand Café Review – Document Index

<u>Item</u>	<u>Description</u>
A –	Occurrence Summary Incident 44100010918
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C -	Re Meeting with Management
D -	E Mail from Mr Hughes re Management Plan
E -	CCTV Viewed by Sgt Marshman
F –	Occurrence Summary Incident 44100164630
G -	Staff unable to operate CCTV re 44100164630
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K –	Licensing Visit by PC,s Prior and Boxall
L –	Visit to Premises 22/09/2010 re Incident Book
M -	Occurrence Summary Incident 44100472367

Occurrence summary

Hampshire Constabulary

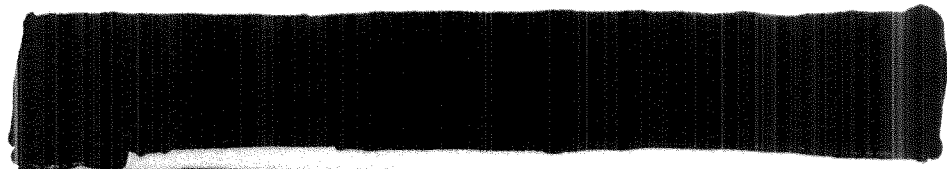
Printed: 30/06/2011 16:20 by 2193

Occurrence: **44100010918 Sex offender offences @10/01/2010 02:57**

Date/Time: between.... 10/01/2010 00:30 and 10/01/2010 01:30

Clearance status: Filed

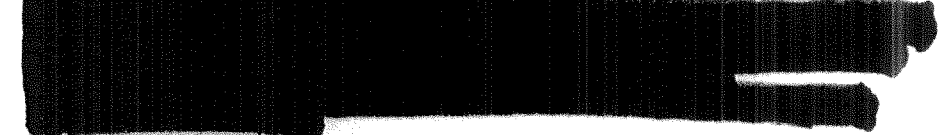
Involved person(s): 1)



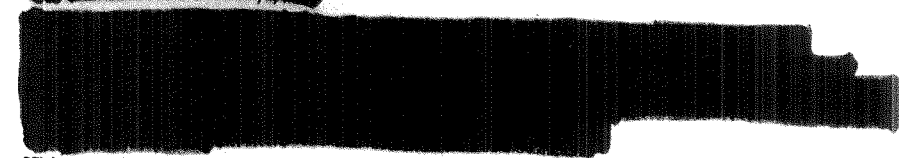
2)



3)



Involved address(es): 1)



2)

[Dispatch address; Occurrence address] GREAT WESTERN HOUSE, CANUTE ROAD SOUTHAMPTON, HAMPSHIRE England (DOCK GATE 4) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW02 WATERFRONT)

Involved vehicle(s):

Involved officer(s):

- 1) #3080 SHEARSBY, A. (Attending officer)
- 2) #20127 NORRIS, S. (Attending officer)
- 3) 5 OCU CENTRAL SOUTHAMPTON DISTRICT (SOUTHAMPTON CENTRAL POLICE STATION (OLD), HAVELOCK ROAD SOUTHAMPTON, HAMPSHIRE United Kingdom (OLD CIVIC CENTRE POLICE STATION) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST,
- 4) #3610 GETTINGS, C. (Assisting officer)
- 5) #3610 GETTINGS, C. (Assisting officer)
- 6) #205 FITCHET, G. (SOIT)
- 7) #21209 GAITA, A. (Arresting officer; Assisting officer; Officer in case)

Flag(s):

Summary: BETWEEN TIME AND DATES STATED THE 17 YEAR OLD FEMALE VICTIM HAS CONSUMED A LARGE AMOUNT OF ALCOHOL. VICTIM THEN ATTENDED A NIGHTCLUB AND BECAME ENGAGED IN CONVERSATION WITH A DOORMAN AT THE PREMISES. THE VICTIM ENTERED THE MALE TOILETS OF NIGHTCLUB AND BELIEVES THAT SHE WAS ASSAULTED IN A CUBICLE ALTHOUGH HAS NO RECOLLECTION OF THE DETAILS.

Remarks:

Working Sheet

Hampshire Constabulary

Printed: 27/06/2011 14:13 by 2193

Occurrence: 44080528014 Z Prem Licence (Management Occurrence)

Author: #3555 MARSHMAN, I.

Report time: 20/01/2010 09:56

Entered by: #3555 MARSHMAN, I.

Entered time: 20/01/2010 09:56

Remarks: Allegation of Rape/sexual assault 44100010918

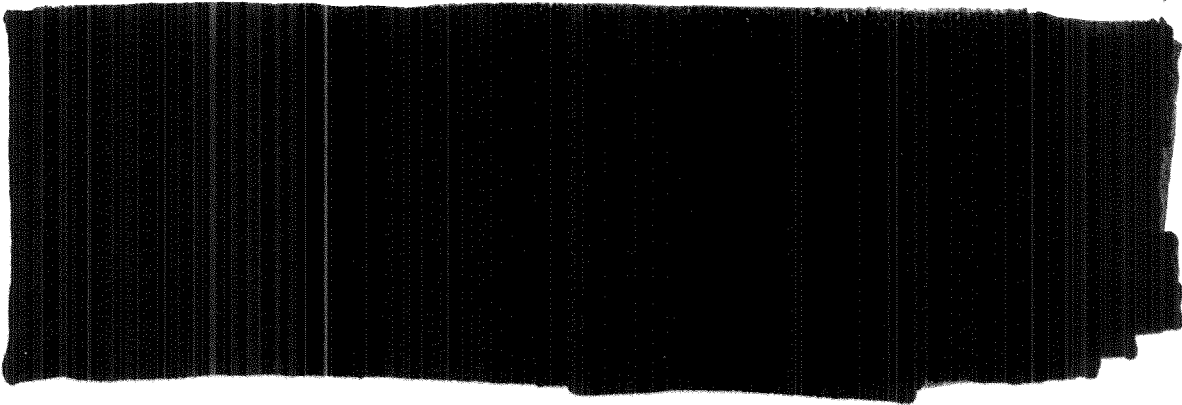
There has been an alleged sexual assault/ rape at this premise occ 44100010918.

There are several licensing issues of concern.

- The.cctv not working
- the incident log not being filled in- and then being filled in retrospectively.
- doorstaff initially refusing entry but then allowing persons into the premise drunk.

The accounts from doorstaff are as follows- report from DC MASON

[REDACTED]



Contacted Dock Gate 4 spoke to manager Louise Granswick. I have requested a meeting with the manager Ricky Attfield and owner Steve Hughes. Hopefully this Friday if not early next week . She will get back to me with a date and time.

PS3555 MARSHMAN

Working Sheet

Hampshire Constabulary

Printed: 27/06/2011 14:32 by 2193

Occurrence: **44080528014 Z Prem Licence (Management Occurrence)**

Author: #3555 MARSHMAN, I.

Report time: 22/01/2010 14:34

Entered by: #3555 MARSHMAN, I.

Entered time: 22/01/2010 14:34

Remarks: Meeting Outcome

Meeting held with Ricky Attfield and owner Steve Hughes. Dick BLACK.

Management plan was agreed and will be drafted between all parties.

In short new CCTV will be in place on the 25/1/10.

They will be introducing a new door policy- Challenge 25 to be implemented no entry after 0100 hours.

Signing off incident book each day. Refusal log.

When the new cctv is in place i will visit to check.

PS3555 MARSHMAN

ITEM D

Working Sheet

Hampshire Constabulary

Printed: 27/06/2011 14:33 by 2193

Occurrence: 44080528014 Z Prem Licence (Management Occurrence)

Author: #3555 MARSHMAN, I.

Report time: 16/02/2010 13:19

Entered by: #3555 MARSHMAN, I.

Entered time: 16/02/2010 13:19

Remarks: Management Plan e-mail

Steve Hughes has agreed with the following management plan- he sent the following e mail-

From: Steve Hughes [REDACTED]
Sent: 22 January 2010 15:50
To: Black, Richard
Cc: 'DockGate4'
Subject: Dockgate 4 Door Policy

Hi Richard,

Thank you for meeting with us at DG4 to discuss improving our door management during the later part of the evening.

I can confirm that a meeting with the area manager of Securidor will be arranged to establish a few tighter ground rules. Taking your advice, my thoughts are to adopt the following policies:

- 1/ All entry of customers after 1am will be referred by the door staff to the duty manager.
- 2/ Doorstaff will ask for I.D. whenever they believe a person is under 25. They will still admit over 18's though if, they believe them to be

of a responsible nature.
- 3/ Doorstaff will sign off every night stating "No Incidents" if this is the case.
- 4/ Doorstaff will log all refusals of entry using the 5 bar counting system. Giving more detail if there has been any type of aggression.
- 5/ Our CCTV system is being repaired & updated week commencing 25TH January 2010. It will record for 28 days. When job completed,

all management be trained in its use and Ricky will invite Ivan, yourself & me to inspect it.

I look forward to your comments.

Kind Regards,

ITEM E

Working Sheet

Hampshire Constabulary

Printed: 27/06/2011 14:44 by 2193

Occurrence: **44080528014 Z Prem Licence (Management Occurrence)**

Author: #3555 MARSHMAN, I.

Report time: 26/02/2010 15:10

Entered by: #3555 MARSHMAN, I.

Entered time: 26/02/2010 15:10

Remarks: CCTV VIEWED

They now have new cctv. They are a little bit rusty on how to use it , but got there in the end. The footage in the dance area isn't great at all but does catch people going into and out of the club. This is a small club with limited problems. I advised should we get problems forthcoming we may have to review the cctv. What they need is a special camera that works at low light.

PS3555 MARSHMAN

ITEM F

Occurrence summary

Hampshire Constabulary

Printed: 30/06/2011 16:36 by 2193

Occurrence: **44100164630 Collapse/illness/injury @23/04/2010 21:11**

Date/Time: between.... 23/04/2010 21:11 and 23/04/2010 21:11

Clearance status: Filed

Involved person(s): 1) [REDACTED]
2) [REDACTED]

Involved address(es): 1) [Dispatch address; Occurrence address] DOCK GATE 4, PLATFORM ROAD SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 3FU (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW02 WATERFRONT)
2) [Occurrence address] GREAT WESTERN HOUSE, CANUTE ROAD SOUTHAMPTON, HAMPSHIRE England (DOCK GATE 4) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW02 WATERFRONT)

Involved vehicle(s):

Involved officer(s): 1) #25143 NIVEN, H. (Officer in case)
2) #20397 WESTON, J. (Assisting officer)

Flag(s):

Summary: Incident of Rowdy behaviour at "Dock Gate 4". One male sustained a cut to his head. Initially unknown if he had been assaulted. Investigation has concluded that he stumbled head first into the door frame causing the injury. Not pushed. No assault.

Remarks:

ITEM 9
PAGE 1

Working Sheet

Hampshire Constabulary

Printed: 27/06/2011 14:47 by 2193

Occurrence: **44080528014 Z Prem Licence (Management Occurrence)**

Author:	#3555 MARSHMAN, I.	Report time:	06/05/2010 16:28
Entered by:	#3555 MARSHMAN, I.	Entered time:	06/05/2010 16:28
Remarks:	Unable to operate CCTV		

Officers have advised that they couldn't get the cctv due to the management not being able to operate system. See occ 44100164630.

I visited today and the current manager advised that most of the management team are new and she didn't know how to operate the CCTV. Claire HOWLES.

The general manager is Eddie PEADE. He will be on duty on Monday (days) and i would return then.

I tried to see their incident book but..... they didn't know were to find it. They had a signing in sheet..... but only old ones.

I have e mailed Steve(the owner the following)

Steve,

I've had cause to visit your premise once again due to an incident that occurred and your team were unable to turn off the cctv. When I last visited you, you assured me your team would know how to use the cctv.

The officer in question then had to chase the cctv which was eventually received. The incident in question was a serious head injury and once we saw the cctv could prove that he had not been bottled as was initially claimed.

I visited today and the manager couldn't operate the cctv either nor could she find the doorstaff signing in sheets.

This clearly isn't acceptable. You have agreed with a management plan which you have not up held.

I will try to contact you via telephone tomorrow to discuss the matter further.

Ivan

PS3555 MARSHMAN

ITEM 9
PAGE 2

Violent Crime & Licensing Sgt
Southampton Central Police Station
Havelock Road,
Southampton
S014 7LG
Tel 02380 674768

PS3555 MARSHMAN

Working Sheet

Hampshire Constabulary

Printed: 27/06/2011 14:47 by 2193

Occurrence: 44080528014 Z Prem Licence (Management Occurrence)

Author:	#3555 MARSHMAN, I.	Report time:	07/05/2010 12:58
Entered by:	#3555 MARSHMAN, I.	Entered time:	07/05/2010 12:58
Remarks:	E mail Received		

I received the following e mail from Steve Hughes-

Ivan,

I have investigated your claims in the e mail sent to me 6th May 2010 & I believe you are being totally unfair!

We bought the new CCTV system as I said we would. The system is a good one but, as in all new technology, takes some studying and practice to be able to work efficiently. This has not however, stopped us from recording as normal and although we could not burn a disc for you on the night, the following week the task was achieved.

I attach the e mail sent from our new GM to your Jeremy Weston on the Monday following the Friday incident, which demonstrates that he was on the case of retrieving the data requested from the system and burning a disc for your use.

Since I met with you, there has been a total management change at DG4 after the new system was installed. So, the new guys are currently being trained in the use of The CCTV system. However, the GM does know how to work it and also knows exactly where the Doormans signing in sheets are.

You arrived at Dockgate 4 unannounced and Claire, the duty manager/event coordinator, who is also new, did her best to help. If you had phoned first, as protocol, common sense and good manners would suggest. Eddy Pede, our very experienced GM, would have made sure he was there to meet and assist you.

Your patience with my staff, as I have to be very patient with your Police force would be very much appreciated.

ITEM H

PAGE 2

Steve Hughes



Delicious Dining Group

32 Bernard St

Southampton

SO14 3AY

ITEM I

Working Sheet

Hampshire Constabulary

Printed: 27/06/2011 14:48 by 2193

Occurrence: 44080528014 Z Prem Licence (Management Occurrence)

Author: #3555 MARSHMAN, I. Report time: 07/05/2010 14:42
 Entered by: #3555 MARSHMAN, I. Entered time: 07/05/2010 14:42
 Remarks: Telephone Conversation with Steve HUGHES [REDACTED]

I rung Steve [REDACTED] to discuss the e mail and the problems with regard to the cctv.
 ERROR

He advised me that basically all 3 managers had recently been changed which was why the cctv could not be viewed at the time.

He said that Eddie PEADE general manager will have everyone trained by next Friday.

I explained the importance of the cctv because the recent allegation could have resulted in persons being arrested who had actually not committed any offence.

Initially Steve was very argumentative and was suggesting that he had done us a favour by putting in the cctv. He then started stating that he didn't even have the condition on his licence and made various mentions of Dick Black. I pointed out that he didn't have conditions on his licence for cctv but had he not got the cctv i would have taken him to review to put the conditions on following the recent incidents at the club. I advised him not to name drop people from the council as it makes no difference to the police.

Further to this i advised that we were the licencing department and had a right to turn up un announced to conduct visits.

The conversation ended amicably and i advised to ring me if he has these problems in the future i.e not being able to operate the cctv ... cctv going wrong etc.

[REDACTED]

PS3555 MARSHMAN

ITEM J.

Working Sheet

Hampshire Constabulary

Printed: 27/06/2011 15:06 by 2193

Occurrence: **44080528014 Z Prem Licence (Management Occurrence)**

Author:	#3555 MARSHMAN, I.	Report time:	20/05/2010 12:35
Entered by:	#3555 MARSHMAN, I.	Entered time:	20/05/2010 12:35
Remarks:	Staff Trained to operate CCTV		

CCTV viewed the new proposed DPS Eddie PEAGE? could operate the cctv .
He has trained all 3 managers.

He has produced a guide to allowing the staff to be able to download what is
required.

PS3555 MARSHMAN

ITEM K

Working Sheet

Hampshire Constabulary

Printed: 30/06/2011 17:07 by 2193

Occurrence: **44080528014 Z Prem Licence (Management Occurrence)**

Author:	#20920 PRIOR, N.	Report time:	12/09/2010 00:31
Entered by:	#20920 PRIOR, N.	Entered time:	12/09/2010 00:31
Remarks:	Licensing visit		

On arrival we introduced ourselves and headed downstairs and said hello to Eddie PEDE and then checked both the male and female toilets with both AIO.

Then in the entrance to the club downstairs a female appeared, I believe her to be staff but possibly MOP asking for paper towels to clear up sick, the female responsible for this had been taken upstairs. I went into the club and made my way round the dance floor and in one of the seating areas a female in a red top was sat with her head in her arms on the edge of the seating area not moving, I went and spoke to Eddie and the doorstaff and asked what they were doing about the woman in the red top and they both kept saying that's its ok they've taken her upstairs, in the end I assured them there was still a female passed out in there and pointed her out. I watched Eddie go over to the female and be unable to rouse her. Eventually a member of doorstaff from upstairs came down and carried her up and she was roused but very drunk and unable to stand unaided.

PC BOXALL was spoken to by the bar manager who was female and stated that we had done a licensing visit two weeks ago and she wanted ID from Alex to prove that he was from the licensing team, she was refused and told we do not have ID from Licensing team an any officer can conduct licensing visits. On the way out doorstaff upstairs stated that they had made numerous complaints to police about taxi's parking on zigzags and that we are doing anything about it. Walked over to that zebra crossing and one taxi moved off quickly, another tried and was stopped and details taken

ITEM L

PAGE 1

Working Sheet

Hampshire Constabulary

Printed: 01/07/2011 08:29 by 2193

Occurrence: **44080528014 Z Prem Licence (Management Occurrence)**

Author: #20920 PRIOR, N.

Report time: 22/09/2010 15:25

Entered by: #20920 PRIOR, N.

Entered time: 22/09/2010 15:25

Remarks: Licence meeting update

EDITED

ITEM L

PAGE 2

EDITED

The incident book was requested and he could only provide one incident sheet from the 1/05/10 - he stated that the door team tended to e-mail reports through. He was told it was best practice to have a book and for the incidents to be written in there as and when they happened and that any refusals of entry / ejections were put on tally chart on the incident book as good evidence for them. If there is no incidents then it to be signed as such each time

EDITED

Occurrence summary


Hampshire Constabulary


Printed: 01/07/2011 08:52 by 2193

Occurrence: **44100472367 Assault @07/11/2010 00:48**

Date/Time: between.... 07/11/2010 00:30 and 07/11/2010 00:48

Clearance status: Filed

Involved person(s): 1) 

Involved address(es): 1) 

- 2) [Dispatch address; Occurrence address] SOUTH WESTERN HOUSE SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 3AS (DOCKGATE 4 BAR & GRILL) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW02 WATERFRONT)

Involved vehicle(s):

- Involved officer(s):
- 1) #20129 SLOCOMBE, D. (Attending officer; Officer in case)
 - 2) #23258 WHEELER, D. (Attending officer)
 - 3) #1630 HOWLETT, P. (Supervising officer)

Flag(s):

Summary: WHILST DANCING WITHIN DOCK GATE 4, AGGRIEVED WAS PUNCHED IN THE FACE BY ANOTHER FEMALE FOR NO REASON. OFFENDER MADE COMMENT THAT IT WAS BECAUSE SHE WAS DANCING WITH HER FELLA.

Remarks:

Occurrence summary

Hampshire Constabulary

Printed: 01/07/2011 09:25 by 2193

Occurrence: 44110114742 Assault @19/03/2011 02:13

Date/Time: between.... 19/03/2011 02:00 and 19/03/2011 02:10

Clearance status: Under investigation

Involved person(s): 1) [Redacted]
2) [Redacted]

Involved address(es): 1) [Dispatch address] 1 SOUTH WESTERN HOUSE SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 3AS (DOCKGATE 4 BAR & GRILL) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW02 WATERFRONT)

Involved vehicle(s):

- Involved officer(s): 1) #21639 SMITH, D. (Attending officer) 2) #6619 COLLIER, A. (Crime scene investigator) 3) #6619 COLLIER, A. (Crime scene investigator) 4) #2258 BRADLEY, M. (Officer in case)

Flag(s):

Summary: CALL FROM AMB THEIR 076 WE HAVE A PERSON WHOSE NOSE HAS BEEN BITTEN ATTACKER GONE LOCATION UNKNOWN SA1X 25050 AWARE XS96 - MALE ATTACKED - UNKNOWN OFFENDER - BITTEN TO HIS FACE AND BITE IS ENOUGH TO CUT THROUGH SEPTUM AT BOTTOM OF NOSE HE IS ON WAY TO SGH IN TAXI 21639 IS GOING UP THERE - STATEMENT AGGD SOCO PLEASE FOR HIS NOSE AT SGH BEFORE HIS TREATMENT. CCTV AVAILABLE- SPEAKING WITH STAFF - NO WITNESSES ATT - SA1X - AUTH SOCO REQUEST. 23089 - SOCO FOR MALE - HE IS ENROUTE TO SGH - FOR SWABS ON HIS FACE AND NOSE. 21639 - MALE IS HAPPY FOR SWABS - HE IS KEEPING NOSE BLOODY FOR IT I FCR - NAME OF AGGRD FOR CSI PLEASE CS44 CALLED OUT 21639 - SOCO ENROUTE XS96 - DETAILS TAKEN, ENQS TO BE PROGRESSED BY SC, HES HAD HOSPITAL TREATED. PLEASE CLOSE TO SC SECTOR BOX. *** RESULT *** FURTHER ENQS TO BE MADE.

Remarks:

Working Sheet

Hampshire Constabulary

Printed: 28/06/2011 10:27 by 2193

Occurrence: **44080528014 Z Prem Licence (Management Occurrence)**

Author: #24084 CHANNELL, H.*Report time:* 30/03/2011 08:30*Entered by:* #24084 CHANNELL, H.*Entered time:* 30/03/2011 08:30*Remarks:* Visit on 29/03

Attended premise and spoke to DPS David PEARSON about the CCTV.

The footage for the recent incident (bite on nose) has now been downloaded and provided to DC BRADLEY. It captures the 2 men bumping into each other just inside but does not capture the incident outside on the steps. This is because the camera outside just shows darkness - they are not allowed to put a light up as it is a listed building. The only thing that can be seen is the rings of light actually on the floor of the steps. PEARSON has stated that an infra red camera would be good but that it is a financial issue with management reluctant to spend the money.

PEARSON has now read the manual and taught himself to operate the CCTV system. He was able to play back footage whilst I was present. His head door man is now also able to play back and download footage. The only thing he is not sure of is how long it is stored for. He believes that the system has a large memory and stores footage for 6 months? He is going to check this and let us know.

I advised that I would send a letter detailing what we had discussed and suggestions with regards to the usual CCTV conditions for them to work to. I also explained to David that although it was a different management team, there had been problems with CCTV before at the premise and further problems may lead to a review of the license to request that CCTV conditions be added.



ITEM 1

PAGE 1

Hampshire Constabulary
Chief Constable Alex Marshall

David Pearson
Dock Gate 4
1 South Western House
Canute Road
Southampton
SO14 3AA

Southampton Central Police Station
Civic Centre
Southampton
Hampshire
SO14 7LG

Our ref: 44080528014

Your ref:

Telephone: 0845 045 45 45

Direct dial: 02380670981

Fax No: 023 8067 4397

Deaf/speech impaired minicom: 01962 875000

Email: southampton.licensing@hampshire.pnn.police.uk

30th March 2011

Dear Mr Pearson,

Following my recent visit to your premise (Dock Gate 4, Southampton) on Tuesday 29th March 2011, I am writing to confirm the details of the conversation that I had with you.

During the visit we discussed the current CCTV system in place at the premise. There have been problems with staff being able to operate the CCTV in the past, which led to a management plan being agreed with the police in January 2010. This plan, which was written by Steve Hughes stated that it would record for 28 days and that 'all management will be trained in its use'.

We spoke about the incident which occurred on 19/03/2011 at approximately 02:00 hours where a male was assaulted by being bitten on the nose.

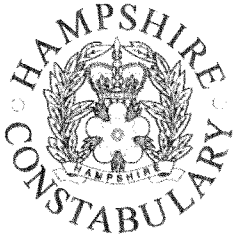
On the day that the offence took place staff informed police that no one knew how to download the CCTV and that officers could come back later in the day to obtain it from you. When officers re-attended later the same day you were unable to operate the system and advised officers to re-attend later that evening when Kristoff would be available to do this. When officers re-attended at that time the member of staff was too busy and they were advised again to re-attend.

On the 20/03 officers were informed that there was a fault with the system and an engineer would be called.

When I attended on 21/03 I spoke with you over the telephone and you informed me that the engineer had not yet attended.

The relevant footage was provided to the investigating officer on 24/03, after five attempts had been made by officers. This amount of visits appears to have occurred as a direct result of the fact that no one at the premise knew how to operate/what was going on with the CCTV system.

www.hampshire.police.uk



ITEM 1
PAGE 2

Hampshire Constabulary
Chief Constable Alex Marshall

If the CCTV system had been checked on a regular basis to ensure that it was recording, then this problem may not have arisen. I am sure that you will agree that after investing in a system such as the one in place at the premise, the management would want to make sure that it is in good working order 100 percent of the time.

This incident of assault occurred outside the entrance/exit to the premise and was not captured on the footage provided. This area is covered by CCTV however, during hours of darkness nothing can be seen other than the rings of light on the ground fixed into the steps. You informed me that the reason for this is that no light is permitted to be fitted to the outside of the building as it is a listed building.

Many incidents that occur at premises throughout the city occur outside the entrances/exits as people are leaving. In this investigation the offender has not yet been identified and any further footage may have assisted in making an identification. Consideration could be given to the installation of an infra-red camera at this location.

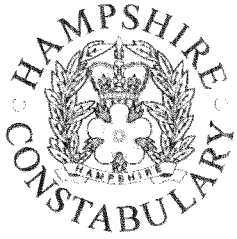
You are not sure at this time how long the recorded footage is being stored for. It is believed that the footage is stored for 6 months however, when we tried to view footage from the 19/02/2011, no files were found. You said that you would investigate this, produce some footage and update me as soon as you know more.

As a premise, there are not currently any conditions upon the licence with regards to CCTV. The following are examples of conditions that Hampshire Constabulary would normally seek to have upon a licence should it be required:

- 1) The premises shall have sufficient cameras located within the premises to cover all public areas including the outside of the premises covering the entrance and exit. The system should be able to cope with strobe lighting and all levels of illumination throughout the premises as well as outside areas.
- 2) The CCTV system must be operating at all times whilst the premises are open for licensable activity.
- 3) All equipment shall have a constant and accurate time and date generation.
- 4) There shall be sufficient members of trained staff available during operating hours to be able to provide viewable copies at the request of the Police or authorised officer. Any images recovered must be in a format that can be readily taken away and viewed on any computer operating on any Windows based program acceptable to the police, or DVD player. This will be without the requirement for additional software to be installed.
- 5) Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.
- 6) CCTV warning signs to be fitted in public places.
- 7) Recordings to be kept for a minimum of 28 days.
- 8) The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.
- 9) All systems, signage, hardware and procedures are to be installed and implemented to the reasonable satisfaction of Hampshire Constabulary and approved in writing.

ITEM P
PAGE 3

Hampshire Constabulary
Chief Constable Alex Marshall



I hope that this list is helpful in assisting you with making improvements to the way in which the current system is operated. Should any further problems arise at the premise with regards to being able to operate or provide CCTV, then consideration may be given to review the current premises licence.

As you are aware, Southampton Police are committed to working with the licensees in supporting the four licensing objectives i.e. –

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

We hope to continue our working relationship with Dock Gate 4 and anticipate that you will ensure the problems are rectified and not repeated. If there is anything in this letter which you do not understand, please do not hesitate to contact me on the telephone number provided.

Thank you again for your continued support.

Yours Sincerely,

PC 24084 CHANNELL
Violent Crime & Licensing Department

ITEM (4)

Occurrence summary

Hampshire Constabulary

Printed: 01/07/2011 09:59 by 2193

Occurrence: **44110222339 Assault @29/05/2011 01:44**

Date/Time: between.... 29/05/2011 01:40 and 29/05/2011 01:50

Clearance status: Under investigation

Involved person(s): 1)

2)

EDITED

3)

4)

Involved address(es): 1) [Dispatch address; Occurrence address] DOCK GATE 4, PLATFORM ROAD SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 3FU (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW02 WATERFRONT)

Involved vehicle(s):

Involved officer(s): 1) #924 CAMPBELL, E. (Arresting officer; Assisting officer)
2) #24131 MINNOCK, M. (Attending officer)
3) #21572 KENT, R. (Attending officer)
4) #24121 PARKER, E. (Interviewing officer)
5) #24049 WONG, W. (Officer in case)

Flag(s):

Summary: [REDACTED] was assaulted outside Grande Cafe by being punched and kicked to the head. [REDACTED] was taken to hospital whilst the offender ran off. Doorstaff chased the suspect before police located and arrested the suspect.

Remarks:



WITNESS STATEMENT

MG11
Page 1 of 3

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

Statement of: PC 24131 MINNOCK

URN: | | |

Age if under 18: 018 (if over 18 insert 'over 18')

Occupation: Police Officer

ITEM R
PAGE 1

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

Signature:

Name: PC 24131 MINNOCK

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

I am PC 24131 MINNOCK and I work for Hampshire Constabulary currently from Southampton Central Police Station.

On Sunday 29th May 2011 I was on duty and in uniform working with PC 21572 KENT. At around 0150 hours we were called to the Grand CAFÉ as staff had notified police that a male had been assaulted.

On arrival an injured male was being helped to his feet by a member of door staff. The male was heavily in drink and clearly dazed by the assault. The door staff provided him with a chair to sit on and updated me that another member of the security team was chasing the possible offender. There were a large number of people immediately outside the bar all of whom stated they had not seen the assault. An ambulance had already been called presumably by staff and it arrived shortly after.

I attempted to speak with the victim who was barely able to speak. When he did he was slurring and not making sense, unable to understand the simple questions I was asking. I had to get close to the male to understand him and as I did I could smell a strong scent of intoxicating liquor. The injured male was unable to provide his name or date of birth and could not recall what had occurred.

On the ambulance arrival I begun speaking with members of public stood outside. None were able to assist me with identifying what had occurred. I asked the same door man what had happened and he stated he did not see what occurred. He went on to say he was stood on the entrance and it was brought to his attention by an off duty member of staff. I asked if there was any CCTV to which he replied 'NO'. I recorded the fact that there was no CCTV in my pocket note book. Once the injured male had been taken away by the ambulance service I noticed a camera

Signature:





WITNESS STATEMENT

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

bunted on the wall above the entrance. It appeared to cover the area where the assault took place. I therefore went back into the Grand Café and spoke with staff again.

On entering I challenged the same member of staff about the CCTV. I asked why he said there was no CCTV and he answered by telling me that it wasn't the case there wasn't some but it would not show the incident. I asked if he had reviewed it to which he stated he hadn't. I therefore stated I would like to review it. The door man then stated it wouldn't be worth my time as it wouldn't show it and it was very poor quality, I said this wouldn't matter and that I still wanted to review it. With this the door man stated he could not do it till about 1700 hours the same day. I explained this would not be appropriate as we had now arrested a suspect. The door man then begun making excuses about not having a flash drive to download it on and that it would take a very long time.

I stated I could probably provide a flash drive or other means to download the footage. Throughout this conversation I got the strong sense that this was too much effort for the security officer in question. It felt like he either didn't want to do it or could not be bothered to do it. Eventually the female duty manager spoke to me and assured me that she would secure it for 1000 hours. She apologised stating she did not know how to download the footage and it would have to be a member of day's staff that would come in and do it.

I stated that a member of our day team would make contact to obtain the CCTV. I would describe the door man I spoke to as a white male, about 6'2" tall and of large build. He was around 40 years in age with a short shaven haircut, mousy brown in colour. He was wearing a suit with a tie; I think grey but cannot be certain. He did not appear interested in the assault and had I not challenged him regarding CCTV I would have potentially missed an important line of enquiry. The female manager was very polite and tried to assist me however did not have the relevant training to really help me. I would also like to note that another member of their security team did chase and remain with the suspect until police arrived.

Signature

ITEM S

Occurrence summary

Hampshire Constabulary

Printed: 01/07/2011 10:15 by 2193

Occurrence: **44110253287 Assault @17/06/2011 23:52**

Date/Time: between.... 17/06/2011 23:30 and 18/06/2011 00:25

Clearance status: Under investigation

Involved person(s): 1)
2)

3)

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4)

5)

6)

Involved address(es): 1) [Dispatch address; Occurrence address] 1 SOUTH WESTERN HOUSE SOUTHAMPTON, HAMPSHIRE United Kingdom SO14 3AS (DOCKGATE 4 BAR & GRILL) (OCU: 5 SOUTHAMPTON, District: S CENTRAL SOUTHAMPTON, Sector: SW CENTRAL SOUTHAMPTON WEST, Beat: 5SW02 WATERFRONT)

Involved vehicle(s):

- Involved officer(s):
- 1) #3404 FUGE, D. (Arresting officer; Officer in case)
 - 2) #25248 PURCELL, T. (Attending officer)
 - 3) #21903 SHEPHERD, M. (Assisting officer)
 - 4) #20668 ROBINSON, D. (Attending officer)
 - 5) #24321 TAYLOR, L. (Attending officer)
 - 6) #3601 O GRADY, H. (Arresting officer)
 - 7) #23764 IRONMONGER, J. (Attending officer)
 - 8) #3638 MONKS, D. (Attending officer)
 - 9) #21071 NORRIS, S. (Attending officer)
 - 10) #21049 QUICK, D. (Interviewing officer)

Flag(s):

Summary: Allegation that two males were bottled inside the nightclub, both sustaining ABH injuries.

Remarks:

Working Sheet

ITEM

T

PAGE

1

Hampshire Constabulary

Printed: 28/06/2011 11:14 by 2193

Occurrence: 44110253287 Assault @17/06/2011 23:52

Author: #3601 O GRADY, H.

Report time: 18/06/2011 05:55

Entered by: #3601 O GRADY, H.

Entered time: 18/06/2011 05:55

Remarks:

Hampshire Constabulary Mandatory Action Plan (MAP)

This Document is Protectively Marked as RESTRICTED Contents of this document may be subject to disclosure in accordance with the Criminal Procedure and Investigations Act 1996. **Always** investigate Mandatory and Special Factor Crime (See FPP 25302). Review Other Crime with the solvability Matrix to consider the proportionality of the investigation.

MAP Full Guidance link provides suggested lines of enquiries

Are there any risks to the victim, witnesses, community, constabulary ?

State what crime has occurred ? Edit MO in summary field

If you believe that a crime has not occurred please provide your rationale, in particular where the incident log suggests there is a crime.

We were called to Dock Gate 4 following reports of a fight. On our arrival a large group were still fighting with each other outside. They were separated and one male initially detained as PC 3404 FUGE had seen him throwing punches. However, he was latter de-arrested as we could not identify an agg'd and although he had been seen to swing punches, there was no supporting evidence of them connecting with anyone. His details were obtained in case we have an agg'd come forward at a later stage -

It would appear that the mele started downstairs inside the club, on the dancefloor. There were 2 groups involved, a younger male group and an older group. Both groups were ejected by doorstaff, but then the fighting began again outside. One doorman states that he was escorting the younger group outside, who were very co-operative. Once they got outside the older males began hurling abuse at them, then the fighting started. Bottles were allegedly use on the dance floor. The doorstaff say there were bottles on the floor and some broken glass, but nothing identifiable to that particular incident.

On our arrival both groups were stating that the other was the aggressor. There were injured parties in both group, but the only person who co-operated and provided a statement was [REDACTED] who had facial and head injuries. He stated he had been bottled twice but couldn't identify anyone in particular at the time. He initially declined an ambulance, but then collapsed onto the floor. He was seen by paramedics and taken to SGH. He does go on to loosely describe 2 males in his statement.

His friend, [REDACTED] pointed out a male to PC 3404 FUGE at the scene, [REDACTED] who was arrested for assualt. Another friend of [REDACTED] also provided a statement.

A door supervisor [REDACTED] can also state that the younger group, [REDACTED] group asked if they could be escorted out of the club as they were afraid of reprisal from the older group. Once they were outside, the older group immediately attacked [REDACTED] group.

On speaking with the groups, both were making counter allegations regarding bottlings and punches, but it was clear both from the doorstaff and behaviour at the time, that the older group were the aggressors.

No VS CCTV and CCTV for Dock gate 4 was not availbale this evening, but will be sorted out today. There was one other camera opposite, which looked like it belonged to a business premises, which may be of assistance.

One of the males in the older group, [REDACTED] was particularly vocal and abusive at the time, but the doorstaff did not point him out to us as being involved. However, [REDACTED] states in his statement that [REDACTED] was very involved in the fight and he saw him assualting males outside. Therefore, [REDACTED] needs to be arrested today for his part in the incident.

Body worn video of all persons present at the time was taken if any ID's need to be made and also video of [REDACTED] injuries as no camera available. However problems have occurred downloading this and so the camera has been placed on the file for this to be completed later.

2 other males from the older group also had injuries and went to the SGH, but completely refused to co-operate with the investigation. They had both left the SGH when we attended to check on their welfare. One male had an eye injury and the other, a male [REDACTED] had an injury to his arm, but I have no idea about the severity.

This was a very confusing and volatile situation and as many witnesses were found as was possible at the time.

[REDACTED] could have been arrested at the time, if the doorstaff had provided us with more information when it was requested. [REDACTED]

Circumstances of offence - Details of allegation

Provide an action plan of the proposed lines of enquiry. Consider the

following

- **The scene** - Suspect's point of access/exit. Location targeted? Consider forensics. Additional Scenes? (property/evidence/vehicle recovered)
- **CCTV** - Scope and assess investigative value
- **House to House** - Set parameters, record what H2H has been done and by whom
- **Victim / Witnesses** - VSS accepted or declined. Are they vulnerable? Are they safe? Summarise what the witnesses say. Statement where appropriate. Preferred method and frequency of contact.
- **Suspect** - Who is the suspect and why? Record rationale. Arrest now or delay? Document Why. State where 1st description is recorded - use A-H technique (Age-Build-Colour-Distinguishing marks-Elevation-Face-Gait-Hair.)
- **Evidence** - If appropriate photograph injuries, seize exhibits and consider forensics!
- **Property** - Obtain details of damaged and/or stolen items plus value. Incl. IMEI and serial no's. Ensure details are updated on the property tab

Identify further Lines of Enquiry - Forensic Vehicle tracing - Circulate using PNC13 asap. Check all availability systems for any previous police history i.e RMS PNC VODS CTO ICR ANPR (for people and vehicles) NMPR IMMOBILISE. Consider using Media

As above.

ITEM U
PAGE 1

Working Sheet

Hampshire Constabulary

Printed: 28/06/2011 10:37 by 2193

Occurrence: 44110253287 Assault @17/06/2011 23:52

Author: #21049 QUICK, D.

Report time: 18/06/2011 12:58

Entered by: #21049 QUICK, D.

Entered time: 18/06/2011 12:58

Remarks: PIIT FWS

[REDACTED]

[REDACTED]

O/S LOE:-

CCTV was still unavailable from DG4 whilst RT was in custody hence bail.

[REDACTED]

ITEM

U

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ITEM W

Working Sheet

Hampshire Constabulary

Printed: 05/07/2011 15:13 by 2193

Occurrence: **44110253287 Assault @17/06/2011 23:52**

Author: #3404 FUGE, D.

Report time: 03/07/2011 10:29

Entered by: #3404 FUGE, D.

Entered time: 03/07/2011 10:29

Remarks: C.S.R

CCTV

I have reviewed the CCTV from the incident and the only camera that captures any disorder is 'Channel 8' which is the dance floor. It does show a fight taking place and shows about 10 people all throwing random punches. This camera is quite far away from the incident and just shows figures. There is no chance of identifying any clothing or faces from this as it is too far away.

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DF3404

ITEM X

Working Sheet

Hampshire Constabulary

Printed: 09/07/2011 19:53 by 2193

Occurrence: **44080528014 Z Prem Licence (Management Occurrence)**

Author:	#2193 SULLIVAN, M.	Report time:	01/07/2011 10:30
Entered by:	#2193 SULLIVAN, M.	Entered time:	01/07/2011 10:30
Remarks:	Licensing Visit to Premises 22/06/2011		

On Wednesday the 22nd June 2011 Sgt Marshman and PC Sullivan from the Police Licensing Unit attended a meeting at the premises with Mr Steve Hughes one of the owners and Mr David Pearson the DPS [REDACTED]

Mr Hughes stated that an Infra Red Camera had been ordered for the area outside of the front entrance.

Whilst at the premises we went with Mr Pearson to observe the CCTV system.

Mr Pearson then showed us the system working Camera 1 covers the back door to the premises, Camera 2 shows the internal door to the residents entrance to the lobby of the apartments above the premises they were misaligned, Cameras 3, 4 and 5 are currently not working.

The Camera covering the exterior view of the front entrance and steps does not record viewable images during the hours of darkness as there is no light source in that area due to restrictions placed on the premises as it listed and no light fittings can be installed.

There is one camera in the basement bar which does not show clear images of the dance floor area due to poor light levels, Mr Pearson stated that the premises intends to install a camera capable of capturing images from the dance floor area in addition to the one already in the premises.

M.Sullivan PC 2193