

## Sussex Police Exhibit 1 - Insp Carroll statement 15/09/2020

SUSSEX POLICE

MG11

**RESTRICTED (when complete)****WITNESS STATEMENT**

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

JRN 

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Statement of: Olivia CarrollAge if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

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

Signature: O.CARROLL Date 15/09/2020Tick if witness evidence is visually recorded  (supply witness details on rear)

I am a police inspector with Sussex Police and currently the lead for licensing on East Sussex Division.

This statement forms part of a schedule of evidence which demonstrates the continued impact the Devonshire Bar and Lounge is having on the police demand and importantly the community in Bexhill.

The Devonshire is located in Bexhill Town centre and is one of the main night time venues in Bexhill. Sussex Police have continued to express concerns to the designated premises supervisor for a number of years about his and his staff's inability to control the patrons that use his premises and the associated anti-social behaviour, public place violent crime and sexual offences linked to his premises.

Issues have been ongoing at the Devonshire for a long period of time. Since 1<sup>st</sup> January 2019, Police have recorded, 51 incidents linked to this premises, these have been for offences including serious assaults, including Grievous Bodily Harm, serious sexual offences, including stranger rape where both parties had been drinking at the premises, drugs offences, robbery and domestic incidents.

This does not account for the amount of calls received related to the premises. Since January 1<sup>st</sup> 2019, Sussex Police has received 110 calls relating to the Devonshire.

The latest report is from the early hours of Sunday 13<sup>th</sup> September 2020 when officers were called to the pub to reports of numerous people fighting which was captured and reported by our CCTV control room. Officers spent 45 minutes at the scene dealing with the incident and remaining in the area to ensure that there were no further issues. This does not account the time officers will have spent dealing with the paperwork for the incident or any ongoing enquires to progress the investigation.

Most of the incidents reported to Sussex Police and comments from attending officers demonstrate the high levels of intoxication of individuals at the pub. In February 2020, an altercation took place between a husband and wife at the premises, whereby she has hit him over the head with a glass. Comments from officers on the investigation report, state, that both parties had consumed alcohol, the victim and his friend appeared intoxicated and during interviews the victim's level of awareness dropped and his intoxication increased.

In August 2020, an assault was reported where a males states that his girlfriend has head-butted him and broken his tooth. The victim states that the suspect began to drink excessively and was ordering trays of Jagerbombs. Again indicating that such high levels of intoxication relate directly to crime at this premises.

Sussex Police also has serious concerns about the level of drugs being used on the premises and there is

Signature: O.CARROLLSignature witnessed by: 

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intelligence to support these concerns. In November 2019 Licensing officers conducted drug swabs at the premises and the results were alarmingly high.

Along with the normal areas expected to have trace of drug use (i.e toilet lids and cisterns), high levels of cocaine were found on the disabled toilet baby changing unit at 5.02, along with Heroin at 1.17. Away from the toilets, positive drug swabs were located at the table next to the dance floor (2.11), the fruit machine next to the dance floor (4.19) and on the bar itself (1.13).

The DPS was provided with an action plan in relation to the drugs use in his premises.

On the 29<sup>th</sup> July 2020, following the re-opening of the pub on the 4<sup>th</sup> July, further drug swabs were undertaken following continued concerns about the drug issue linked to this premises. Disappointingly again readings were incredibly high for cocaine in number of areas, including toilet cisterns in the males (5.22), ladies toilet sanitary bin (4.77), baby changing unit (4.55) and the fruit machine (4.08).

The readings are substantially high bearing in mind these were taken midweek and there was presumed to be enhanced cleaning of high touch point areas in the pub to ensure that they were minimising the spread of Covid-19.

All procedures to reduce drug use appear to have stopped and on this visit by licensing officer PC Buck there had been no seizures of drugs by door staff, which would further suggest that there is very little attempt to identify those in possession of controlled substances entering the premises.

When reviewing the drugs results produced by the Ion Track machine any reading between 3 and 4 can be classed as high and could not be attributed to cross contamination and is indicative of recent or direct contact with measurable quantities of drugs. Readings of 4 and above relate to microgram amounts of contamination, being transferred directly to the swab and this indicates that the swab has been in direct contact with bulk amount of the source of the drug.

On the 4<sup>th</sup> July 2020, the premises re-opened following restrictions being lifted by the government. That weekend saw a number of issues at the premises. When officers attended at 21:10 hours on the 4<sup>th</sup> July, they were met with a large crowd of 100+ people inside the premises and people were seen to be vertical drinking which was against the legislation at the time. There were no social distancing measures in place and on speaking with PC Buck the DPS closed the premises voluntarily.

This was an extremely busy weekend for Sussex Police due to the re-opening of pubs and this took a large proportion of officer's time.

The following weekend on the 10<sup>th</sup> July, the bar was visited again by officers, which noted that although the bar was providing seated service, there was no control over entry and exit which was still being done through one door, again not in compliance with government advice on re-opening.

On the 11<sup>th</sup> July, officers reported concerns to PC Buck, following their attendance at the premises. At 00:15 hours on the 11<sup>th</sup>, officers witnessed groups of people squaring up to each other. The bar was described as being packed and there was no control over entry or exit of the premises. No ID checks were being made for people entering the premises and officers describe massive groups all over the bar and the dance floor. To manage this and a series of incidents which occurred of the back of the poor control and management, the duty Sgt for the night had to keep 4 units on scene to prevent further issues.

A visit by licensing officer PC Wilkes on the following weekend, 17<sup>th</sup> and 18<sup>th</sup> July, appeared to show that the DPS had implemented some changes to control those entering and exiting the premises and manage

Continuation of statement of Olivia Carroll

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the number of people inside.

However, Sussex Police continues to receive calls relating to excessive noise, breaches of Covid-19 legislation, no social distancing and general anti-social behaviour linked to the premises.

Residents who live above the pub have continued to complain to both Sussex Police and Rother Environmental Health about the excessive noise coming from the premises. On the 28<sup>th</sup> August 2020, a resident who lives in the flats above the premises had a can thrown at him from someone in the pub as he was entering his front door, during the call he stated that the ongoing issues is making him feel anxious and he doesn't feel comfortable leaving his own address and is impacting on his mental health.

As licensing lead for East Sussex, I would always prefer for premises licence holders and designated premises supervisors to work with us to identify any areas where they feel they are not adhering to the licensing objectives and we will always look to support them in partnership to overcome issues identified.

However I am confident in saying that the DPS of the Devonshire Bar and Lounge has had numerous opportunities to improve the situation around his licenced premises and even with the support of local licensing officers, advice given to him and previous stepped approaches to managing the issues associated with this venue, he has been unable to make sufficient improvements which satisfy achieving the licensing objectives and therefore the only option which is proportionate and necessary is to seek a review of the licence altogether.

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