

Sussex Police Exhibit 6 – Warning Letter to DPS dated 23/11/2019



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Local Policing Support Team

21st November 2019

Mr. Sokol Kapllani,
Devonshire Bar & Lounge
Devonshire Square
Bexhill-on-Sea
East Sussex TN40 1AB

Dear Mr. Kapllani,

Devonshire Bar & Lounge, Devonshire Square, Bexhill-on-Sea TN40 1AB

FORMAL WARNING LETTER

I am writing to you in your capacity as the Designated Premises Supervisor (DPS) of the above premises. The premises licence has been issued, Premises licence number 05/02065/LAPRE, by Rother District Council, authorising the licensable activities, Live Music, Recorded Music, Entertainment of a Similar Description, Facilities for Making Music, Facilities for Dancing, Entertainment Facilities of a Similar Description, Late Night Refreshment and the Sale by Retail of Alcohol.

On Thursday 14th November 2019 your premises was visited by PC Buck a Prevention Licensing Officer, who took a number of Ion Trak drug swabs from various areas within the premises.

The results of these drug swabs are as follows:-

Mens Cistern = 5.19 Cocaine
Right Female Toilet Cistern = 5.07 Cocaine
Disabled Toilet Baby Changing Unit = 5.02 Cocaine & 1.17 Heroin
Fruit Machine Near Dance Floor = 4.19 Cocaine
Ladies Sanitary Bin = 4.11 Cocaine & 1.17 Heroin
Disabled Toilet Cistern = 4.06 Cocaine
Left Female Cubicle Cistern = 4.01 Cocaine & 1.91 Heroin
Disabled Toilet Sanitary Bin = 3.11 Cocaine
Door Plate to Toilets = 3.06 Cocaine, 1.14 Heroin & 1.01 Ephedrine
Left Female Toilet Cubicle Sink = 3.06 Cocaine
Mens Toilet Sink = 2.91 Cocaine
Right Female Toilet Cubicle Sink = 2.17 Cocaine
Table Next to Dance Floor = 2.11 Cocaine
Disabled Toilet Hand Dryer = 2.07 Cocaine
Bar = 1.13 Cocaine
Disabled Toilet Sink = 1.09 Cocaine
Games Machine Near Main Door = 1.07 Cocaine

East Sussex Local Policing Support team
Police Station, Terminus Road, Bexhill-on-Sea,
East Sussex TN39 3NR

Telephone: 101: 564241 / 564605

GE Security, the Ion Trak Itemiser manufacturer, in their Technology Statement gives the following guidance about interpreting swab results.

Readings of between 1 & 2 can be classed as 'low' attributed to cross contamination of the surface tested, background contamination or greatly degraded historic contamination.

Between 2 & 3 can be classed as a 'medium' response attributed to cross contamination of the surface tested or recent historic contamination that may have been left a number of days prior to the sample being taken.

Between 3 & 4 can be classed as 'high' that would not be attributed to cross contamination and is indicative of recent and direct contact with measurable quantities of the narcotic identified by the machine.

Readings of 4 and above are estimated to relate to microgram amounts of contamination being transferred to the swab. This level of contamination is not generally experienced in any other environment than somewhere that has been in direct contact with a bulk amount of the source narcotic.'

There were three readings above 5, four readings above 4 and three above 3 out of the seventeen drug swabs taken; therefore the only conclusion that can be drawn from these results is that there habitual use of illegal substances within your premises.

Overall these drug swab results are unacceptably high and therefore immediate action is required to significantly reduce the illegal use of narcotics within your premises. You are expected to send an email to: catherine.daniel@sussex.pnn.police.uk no later than 10 days from the date of this letter giving details of the measures you will be taking to combat the use of illegal substances within your premises.

Whilst PC Buck was at your premises he carried out a full licensing check and noted that, whilst your CCTV system was in full working order, the system only records for 28 days rather than the 31 days specified on the premises licence. This is a breach of your premises licence and I would advise that you investigate the possibility of increasing the number of days that your CCTV system can record images for.

PC Buck asked to see the written list of those authorised by you to sell alcohol; this could not be produced and therefore, whilst not written in law it is best practice, I ask that you prepare such a list to be made available to police or local authority officers on request.

Finally, PC Buck also noted that your ID Scanner was not working and had not been so for the past two weeks. You are strongly advised to have this repaired as soon as possible, particularly in light of the high drug readings at your premises.

As the DPS you will be fully aware of the following licensing objectives under the Licensing Act 2003 and your obligation to promote them:

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

I must point out that as the Designated Premises Supervisor you are in day-to-day control of this business. The high results from the drug swabs indicate that neither you nor your staff have control of the premises and are therefore failing to promote the four licensing objectives.

This letter should be treated as a warning. Further high drug readings may place the premises licence at risk. Further observations of the premises will be carried out by officers of Sussex Police.

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Police Station, Terminus Road, Bexhill-on-Sea,
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Yours sincerely,

|



Inspector Rob Lovell CL740

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