



Application for the review of a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I, *(insert name of applicant)*

Chief Inspector Sarah Godley, Hastings & Rother District
Commander, for and on behalf of the Chief Constable of Sussex
Police

Apply for the review of a premises licence under Section 51 of the Licensing Act 2003 for the premises described in Part 1 below.

Part 1 – Premises or club premises details

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

Flames Grill
19 Havelock Road

Post Town

Hastings

Post code (if known)

TN34 1BP

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

Mr Caglar Kanik

Number of premises licence or club premises certificate (if known)

HOP50326

W201908941.
End 18/12/2019.
End 16/01/2020

Part 2 – Applicant details

I am,

Please mark X for yes

1) an interested party (please complete (A) or (B) below)

a) a person living in the vicinity of the premises

b) a body representing persons living in the vicinity of the premises

c) a person involved in business in the vicinity of the premises

d) a body representing persons involved in business in the vicinity of the premises

☐☐☐☐

2) A responsible authority (please complete (C) below)

X

3) a member of the club to which this application relates (please complete (A) below)

☐**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)**Please mark X for yes****Mr**☐**Mrs**☐**Miss**☐**Ms**☐**Other title**
(for example, Rev)**Surname****First names****Please mark X for yes****I am 18 years old or over**☐**Current postal address if different from premises address****Daytime contact telephone number****E-mail address (optional)**

(B) DETAILS OF OTHER APPLICANT**Name and address****Telephone number (if any)****Email address (if any)****(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT****Name and address:**

Chief Inspector Sarah Godley
Hastings Police Station
Bohemia Road
Hastings
East Sussex
TN34 1JJ

Telephone number (if any)**(Email address (if any)**

sarah.godley@sussex.pnn.police.uk

This application to review relates to the following licensing objective(s)**Please mark X for yes (one or more boxes)**

1) the prevention of crime and disorder

X

2) public safety

X

3) the prevention of public nuisance ☐

4) the protection of children from harm ☐

Please state the ground(s) for review (please read guidance note 1)

Sussex Police contend that the above two licensing objectives have been undermined by the carrying on of the licensable activity at Flames Grill.

Since March 2019 there have been a significant number of incidents connected with the premises including fights and assaults resulting in varying degrees of injury. A recurring feature in these incidents is the lack of control of the premises by the premises licence holder Mr Caglar Kanik and latterly the unwillingness of staff to call police preferring to involve themselves in incidents. On the last occasion on 15th November 2019 staff did not call police but left the premises armed with various weapons and started fighting with a group of males who had been problematic to them. As a result one of the group suffered a broken arm and welt marks across his back as if he had been hit with a pole. A second male who had no involvement in the incident was punched causing injuries consistent with Actual Bodily Harm and a third male who went to break up the fight received a head injury and marks on his body again consistent with being hit by a pole.

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

Flames Grill is a small takeaway restaurant situated on the left hand side of one of the main streets leading from the town centre, Havelock Road. The main entrance gives on to an area containing seating and a counter with further seating towards the rear of the restaurant. Other premises in Havelock Road include a nightclub adjacent to Flames Grill and two bars, one almost opposite and one further down the road towards the town centre.

Permitted licensable activities are Late Night Refreshment, the hours for this activity being from 23:00hrs to 02:00hrs on Sunday to Wednesday and between 23:00hrs and 04:00hrs on Thursday to Saturday. On a Sunday preceding a Bank Holiday the hours are between 23:00hrs and 03:00hrs. The current opening hours on Sunday to Wednesday are 17:00hrs to 02:00hrs, and on Thursday to Saturday 17:00hrs to 04:00hrs. On a Sunday preceding a Bank Holiday the hours are 17:00hrs to 03:00hrs.

The entire length of Havelock Road is situated within Hastings Borough Council's Special Saturation (Cumulative Impact) Policy Area readopted and published in January 2016.

On Saturday 9th March 2019 at 03:43hrs officers were called to an adjacent premises to a report of a female who had been assaulted by a male. The incident between two males and staff had started due to a dispute over a food order. The males had been ejected by the SIA registered door supervisor and the female, in an attempt to calm matters down, had inadvertently aggravated one of the males who grabbed her round her neck. Whilst dealing with this incident officers were approached by a male who said he had been assaulted inside the premises. The male told police that he was queueing for food when he asked two males whether he could go in front of them. Initially they agreed but then one of them slapped him very hard across his face. Not wanting to cause a fight the male did not retaliate but did punch one of the tables attracting the attention of the door supervisor who ejected him. The male could not identify his attacker and declined to give a statement to police. Therefore the matter was filed undetected. This incident is an example of a customer making an initial complaint to police in relation to violence at the premises, but then refusing to take the matter any further.

On Friday 22nd March 2019 two females reported that they had been attacked whilst in the premises between 03:00hrs and 04:00hrs that morning. The circumstances were that they were both in Flames Grill waiting to order food when four other females entered the premises and attacked them causing extensive bruising, cuts and scratches, injuries consistent with Actual Bodily Harm. Although the premises does have CCTV the system rewrites every seven days and therefore any evidence in relation to this incident was lost; staff said that there were plans to install a new system. After an extensive investigation it was concluded that this was a drunken fight and with no witnesses, including staff who said they did not see anything, and no CCTV there was no further action the police could take.

There is a condition on the premises licence that states, to ensure the CCTV tapes/recorded images are stored and retained for 28 days and access is available to the police and licensing authority at reasonable times. The fact that the CCTV rewrites every seven days is a direct breach of this condition on the licence.

On Friday 3rd May 2019 at about 03:30hrs an incident took place outside the premises. The circumstances were that a female (1) had been out in the town for the evening before going to Flames Grill for some food. Whilst in there she was approached by a female whom she knew who asked if they could go outside and talk. Once outside female 1 was grabbed from behind and dragged to the ground where her left shoulder hit the kerb causing an injury consistent with Grievous Bodily Harm. Her assailant then ran away followed by the female who had asked to talk to her. It would seem that the females all knew each other and the incident was fuelled both by alcohol and a dispute over a male who was the ex-boyfriend of the assailant. The victim was in so much pain from her injury that she sought medical attention from the hospital where it was confirmed that she had a possible fracture to her left collar bone. This matter is still being investigated, though somewhat hampered by the lack of CCTV from the premises.

On Sunday 19th May 2019 at 03:14hrs police received a call from one of the door supervisors provided by the Business Crime Reduction Partnership (BCRP) reporting a large fight in Havelock Road. The circumstances were that two unrelated groups of males were in Flames Grill getting food when an argument broke out between them. The two groups spilled out of the premises on to Havelock Road where they began fighting. Staff at the premises did not call police but the premises door supervisor did go outside to assist the two BCRP door supervisors. During the fight both BCRP door staff were punched by the same male, one sustained a chipped tooth, a cut to his left hand and a headache. The other, a dull ache to his mouth. The offending male who was drunk was arrested for causing injuries consistent with Actual Bodily Harm. Whilst both the BCRP door staff were prepared to assist police by providing statements, the door supervisor from Flames Grill was not; he refused to give police any details of what had taken place. It is Sussex

Police expectation that in circumstances such as these door staff will assist police in their enquiries. To fail to do so is not acceptable.

On Sunday 9th June 2019 at 02:39hrs police received a call from a male in the premises reporting the presence of another male who was throwing food at him and telling other customers to f**k off. During the call to police the offending male left the premises and the complainant did not want to take the matter any further.

On Sunday 7th July 2019 at 05:28hrs a member of staff called police to report that at 03:10hrs a customer had stolen the electronic card machine. The offence was viewed on CCTV by staff and the offender was clearly identified; he was known to staff as he was a regular customer. When the offender was spoken to by an officer he admitted the theft stating that he did it whilst drunk and subsequently he had thrown the card reader into the sea. The matter was resolved by Community Resolution in that the offender paid for a new card machine.

On Thursday 8th August 2019 police received a call from A**** K**** a member of staff and the brother of the premises licence holder reporting that someone had just dented his car, parked on double yellow lines outside the premises, with a pram. The Hastings Old Town Pram Race had been taking place earlier on in the evening. The person with the pram had disappeared but the informant said he thought he had gone into an adjacent premises and that if he found him he would 'pin him down'. He was advised not to do this. As there was no CCTV and the male with the pram denied that the incident had taken place the matter was closed.

On Sunday 11th August 2019 at 01:43hrs police received a call from the mother of a female (1) who she said had been attacked outside the premises thirty minutes earlier. When officers spoke to the female she said she had been out for the evening before going to Flames Grill where she was involved in a verbal altercation with another female (2) outside before being punched in the face causing swelling and bruising. Officers spoke to the alleged assailant who said that she had become involved in an argument with the female but at no time had punched her. A witness who knows both females stated that whilst inside the premises female 1 had started the argument and had punched female 2 first. Female 2 then punched her back in retaliation. CCTV was viewed which did not show anything of note and as neither female wished to pursue the matter the case was filed. This incident is another example of a customer making a complaint of violence to police but then refusing to take the matter any further.

At 03:59 hrs on Friday 30th August 2019 police received a call from a local resident reporting that 20 males and females were fighting in the street and that two females had been knocked to the ground. One of those involved was A**** K**** a member of staff at Flames Grill and the brother of the premises licence holder. He was standing outside the premises when he saw a male who he described swinging a female around and trying to fight with an unknown male. Mr K**** went over and tried to persuade the male to go home. When he was punched in the face he retaliated by punching the male back. At no point did the staff member call the police but chose instead to involve himself resulting in his being arrested for Assault Occasioning Actual Bodily Harm. After an investigation it was decided to take no further action against him.

On Friday 13th September 2019 at 14:30hrs the premises was visited by PC 456 Wilkes and Licensing Officer Cathie Wolfe. The premises licence holder was not present so the officers spoke to Mr A**** K****. The purpose of the visit was to ascertain why there had been an increase in incidents of crime and disorder at, or connected to, the premises particularly in the early hours of Friday mornings. Thursday nights into Friday mornings often present more of a challenge to licence holders and staff in containing alcohol fuelled crime and disorder as there are less police patrols and reduced resources compared with Friday and Saturday nights. In addition the BCRP

security patrol does not operate on Thursdays nor are there any taxi marshals at the Havelock Road rank. Mr K**** stated that he helped his brother run the premises and acknowledged that Thursday nights can be difficult as the premises is very busy particularly after 02:00hrs on Friday mornings and there is only one door supervisor. He added that a lot of the problems were caused by drunken customers and although he was aware that he could refuse service to customers he felt that sometimes this can cause more difficulties and create situations that were too much for one door supervisor to effectively manage and control. Mr K**** then said that he planned to obtain his own Security Industry Authority (SIA) registration so that he could work as a door supervisor to support the one currently employed and work in that capacity when the door supervisor was not present. The incident on Friday 30th August 2019 was discussed and Mr K**** was reminded that he should not leave his premises to intervene in incidents outside but should instead observe, try and keep himself and his customers safe and call police.

On Friday 15th November 2019 at 03:59hrs police received a call reporting a disturbance outside the premises. The circumstances were that a small group of males had been causing problems at the premises. Once ejected by staff the males started kicking the premises windows and one of them jumped on the windscreen of a car parked outside smashing both the shop glass and the windscreen. Instead of calling the police at least two of the staff came outside armed with various weapons; what appeared on CCTV to be a large skewer used for cooking doner meat, a knife sharpener and a broomstick. A large fight ensued between three males and the staff resulting in the involvement of third parties trying either to assist or break up the fight. During the fight a homeless male who had no involvement was punched causing Actual Bodily Harm injuries and another male who tried to break up the fight received a head injury, a visible crack; and marks on his body consistent with being hit with a pole. Officers located the three males who had initially caused the trouble in the shop at the top of Havelock Road after the fight. Two of the three were arrested for their part in the incident. One of the males assaulted an officer by biting him and assaulted another by kicking him in the face causing a chipped tooth. Two staff members were also arrested, both for Affray. The CCTV hard drive has been seized from the premises as staff stated they did not know how to use it. This is a further breach of the condition relating to CCTV as per the incident on 22nd March 2019. This incident is still being investigated. CCTV footage will be available to the committee at the hearing.

Having regard to the number of incidents at the premises, and the serious nature of some of those incidents, occurring in and in connection with, these premises Sussex Police have no confidence in the ability of the premises licence holder Mr Caglar Kanik to control the premises or promote the licensing objectives.

Under the circumstances Sussex Police invite the sub-committee to seriously consider revoking the premises licence.

If members are not minded to take this course of action Sussex Police respectfully request that consideration be given to attaching the following conditions to the premises licence.

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

- *The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.*
- *CCTV footage will be stored for a minimum of 28 days*

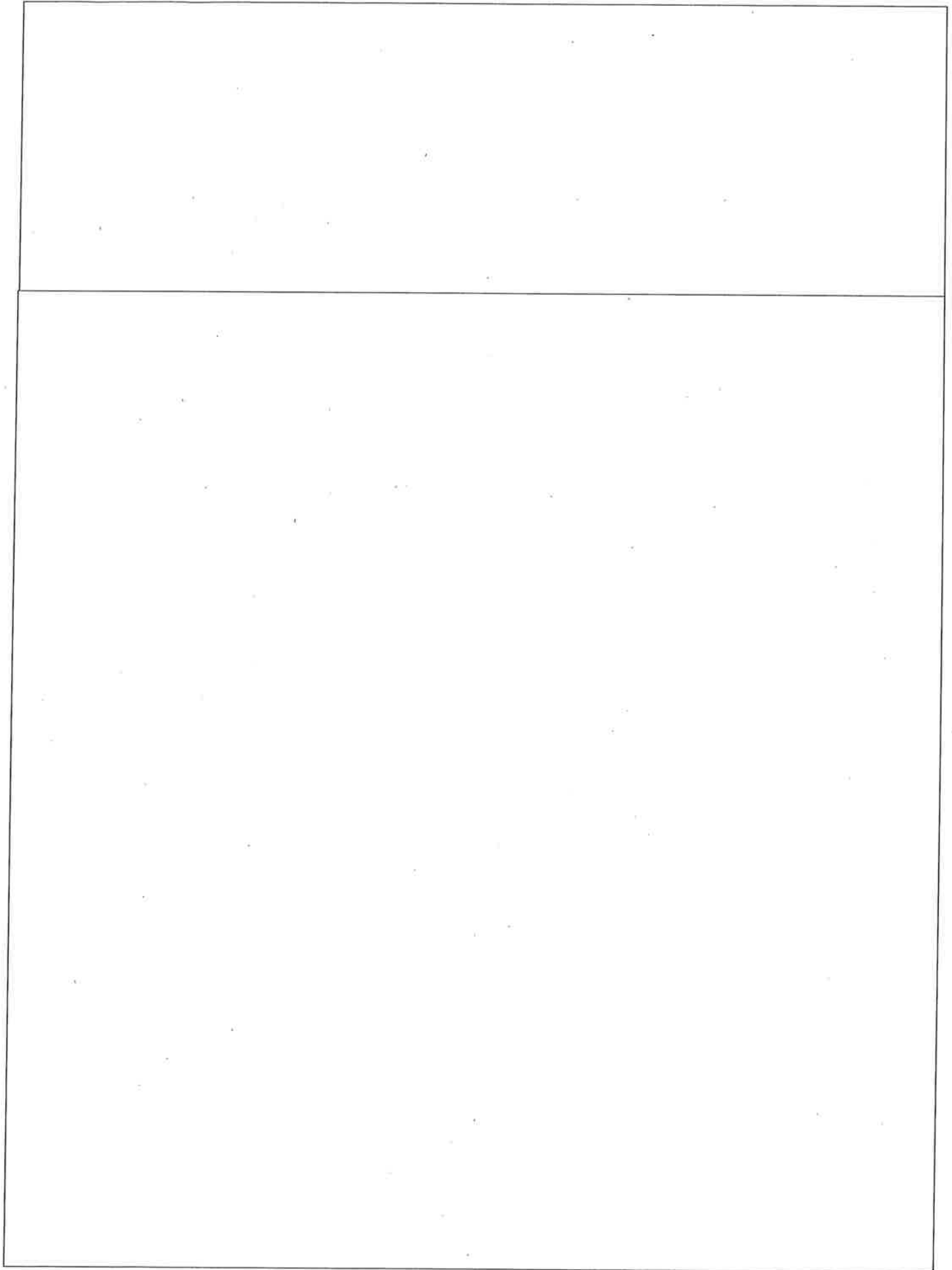
- *The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.*
 - *The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.*
 - *Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.*
 - *Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.*
- (2) *Two SIA registered door staff will be employed at the premises from 18:00 hrs. until half an hour after the premises has closed on Thursday, Friday and Saturday's plus Bank Holidays, New Year's Eve, public holidays and at any time when a temporary event notice is in operation.*
- (3) *An incident book will be kept and maintained at the premises and made available for inspection by police licensing officers and local authority officers on request. This book shall be solely used for the purpose of recording incidents.*
- (4) *A refusals register will be kept and maintained at the premises and made available for inspection by police licensing officers and local authority officers on request.*

Sussex Police also invite the sub-committee to seriously consider taking the following steps, which we consider to be appropriate and proportionate to ensure the licensing objectives are being promoted and people are being kept safe :

Reduction of hours: Late Night Refreshment to be reduced to 02:00hrs daily with no extension of these hours on a Sunday preceding a Bank Holiday Monday.

The time the premises is open to the public to be reduced to 02:00hrs daily with no extension of these hours on a Sunday preceding a Bank Holiday Monday.

Suspension of the Premises Licence a period of not less than 6 weeks in order to implement the changes that would be brought about by the requested conditions. A period of suspension would also send a strong deterrent message to the owner of these premises and the others in the area that this type of management of a premises will not be tolerated by the Licensing Authority.



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

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

Please mark X for yes

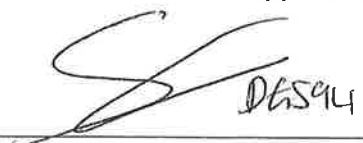
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature (on behalf of the applicant)

 DES94 C. GODLEY

Sussex Police
Application for review of a premises licence
07/2015

Date:

15/12/2019

Capacity:

DISTRICT COMMANDER, HASTINGS + ROTHER

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

Ms Cathie Daniel
Hastings Police Station
Bohemia Road
Hastings
East Sussex
TN34 1JJ

Post town

Post code

Telephone number (if any)

101: Ext 564241

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

Notes for Guidance

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

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

Sussex Police
Supporting Evidence for Review Application
Flames Grill, 19 Havelock Road, Hastings

Document Index:

Interaction No: 1 (Assault)

1. Statement from PC CP094 Parmenter
This relates to interaction on **Saturday 9th March 2019** 03:43hrs in Review.
-

Interaction No: 2 (Assault)

1. Two witness statements
This relates to an interaction on **Friday 22nd March 2019** between 03:00hrs and 04:00hrs in Review application.
-

Interaction No: 3 (Assault)

1. Statement from PC CS579 Swap
This relates to interaction on **Friday 3rd May 2019** 03:30hrs in Review.
-

Interaction No: 4 (Assault)

1. Statement from PC CM536 Mephram
2. Statement from Witness
3. Statement from Witness

This relates to interaction on **Sunday 19th May 2019** 03:14hrs in Review.

Interaction No: 8 (Assault)

1. Statement from PC EA169 Gaymer

This relates to interaction on **Sunday 11th August 2019** 01:43hrs in Review.

Interaction No: 9 (Assault)

1. Statement from PS CA311 Ambrose
2. Statement from PC CW498 Williams

This relates to interaction on **Friday 30th August 2019** 03:39hrs in Review.

Interaction No 10 (Licensing Visit)

1. Statement from PC CW456 Wilkes

This relates to interaction on **Friday 13th September 2019** 14:30hrs in Review.

Evidence relating to
Interaction (No. 1)

dated:

9th March 2019

1 x Police Statement

WITNESS STATEMENT

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

URN

Occurrence Number: 47190037775

Statement of: RICHARD PARMENTER

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable CP094

This statement (consisting of two 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:  #CP094 PARMENTER, R.

Date: 21/12/2019 20:25

Tick if witness evidence is visually recorded ☐

Around 0345 hours on Saturday, 9th March 2019, I was on duty, in uniform, crewed with PC GOODMAN DG162, using call sign EH102. We were assigned by radio to a report of a disturbance in HAVELOCK ROAD, HASTINGS.

On attendance I was met by a female who identified herself as M [REDACTED] C [REDACTED] was clearly drunk and upset. She explained to me that she had been in FLAMES GRILL, HAVELOCK ROAD, and while there had witnessed a male being removed by security. She had, inadvisably, decided to assist the SIA security officer in removing this male, believing that she could calm the situation. She told me that, once outside the premises, the male has taken exception to C [REDACTED] removing him and assaulted her by grabbing her by the neck. She identified a suspect to me, I approached the male suspect and said to him "YOU ARE UNDER ARREST ON SUSPICION OF ASSAULT OCCASIONING ACTUAL BODILY HARM" I cautioned him, to which he offered no significant reply.

Having arrested the male I was approached by a number of people who had been in FLAMES GRILL at the time of the incident. I was provided with a number of conflicting accounts from drunk individuals which disagreed as to who was the aggressor, a number of people identified C [REDACTED] as the aggressive party and stated that the male suspect only used reasonable force to keep her away from him.

I returned to where C [REDACTED] had been waiting for me, to speak to her about her account and discuss obtaining a statement. I was informed by SIA staff managing the Taxi Rank that C [REDACTED] had decided not to wait for me but had left in a taxi. I tried to contact her on the number she had provided, without success.

The victim had left the scene and was unknown to the suspect. With no access to an account from the victim and conflicting witnesses as to the details of the incident, I made the decision that there was no longer a necessity to detain the suspect. I de-arrested him and allowed him to leave.

[REDACTED]

MG11

I was not able to obtain a formal account from O [REDACTED] and the matter was eventually filed with no further police action.

[REDACTED]

Evidence relating to
Interaction (No. 2)

dated:

22nd March 2019

2 x Witness
Statements

WITNESS STATEMENT

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

Statement of: M K A

URN

Age (if under 18): N/A

Occupation:

This statement is regarding the assault to which i was the victim to on 22nd March 2019. On the 22nd March 2019 i was socialising with friends in the town. I was with my friend P and H and we had spent the night in Grand Electra. Between 0300 and 0400 Hours we then left Grand Electra to which myself and P attended Flames Grill in Havelock Road. While ordering a kebab, i was approached by a female i know as N. N said "why did you call P a slag" i said "P who" she said "you know who". Suddenly someone came up from behind me and pulled my hair with so much force that i fell to the floor and really hurt my bottom. P my friend helped me up, i then saw that there were three girls who i know well as P, S, C, M, S, C and their mother S, C all of them looked so aggressive. P turned to them and asked why that had done that suddenly, all three of the females aggressively grabbed hold of P, all three had clenched their fist and was punching her to her head and upper body. As she was getting punched she fell to the floor. P, M and S then stopped, to which i helped P get back to her feet at this point M, P and S started throwing numerous punches to me hitting me with force to my left side of my arm and leg, they then stopped and as i tried to get P up N punched me with force from the side striking me to the left hand side of my cheek under my eye. I stumbled back, i grabbed P and was able to get her to her feet. N, and P started to push myself and P on the upper arm area. The staff in the kebab shop started shouting at the security to do something, at this point all four of the girls then left. I was so upset by this and began to cry, i was in pain all over. I had the following injuries, a bruise and swollen left cheek (under the eye), a number of bruises to my right elbow, one on my left elbow, and a very large bruise to my left upper arm, a large bruise to my bottom, and a large fist mark to left leg. I was in so much pain the next day, to which i really struggled to walk the next day. I know P as she is the years, i describe P, i cannot remember what she was wearing. I know M, S, as she used to be a close friend to me, and she is the to P, S, C. I describe M, i cannot remember what she was wearing. I know S, C as she is the mother to M and P, i know N, i have no idea why they assaulted me, i had spoken to them earlier on in the evening, in which we all got on i had a few drinks with M. Before this i had not spoken to any of them for about 2 years. I had not said anything to them that would deserve me to be assaulted. The victim personal statement has been explained to me and i want to say that, this has deeply upset me, i did not deserve this and have no idea what i have done for them to want to assault me. I suffer from anxiety and depression, it has effected my life now, as i dont want to go out clubbing anymore in case i bump into them, i am scared to go to the town. I now want to get lifts from colleagues to work and back as im terrified that i will see one of them. P received cut lip, scratches on her forehead and chest, bruised shoulder and knees. Pc Roberts CR594 has taken photographs of my leg, face and arms. I have taken a photograph of the bruise to my bottom, this has been printed at Hastings police station at 2210 hours and i exhibit this as

Witness name:
Statement started:
Form ID:

M K A
29-03-2019 21:00:00
Doc1553893200209-573-BJNQLDQAAAAWCYKCWNBAPH54

Statement completed: 29-03-2019 22:14:31

[REDACTED]

MG11T

[REDACTED]

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

Signature Witness

[REDACTED]

Date: 29-03-2019

Witness name:
Statement started:
Form ID:

Mrs K [REDACTED] A [REDACTED]
29-03-2019 21:00:00
Doc1553893200209-573-BJNQLDQAAAAWCYKWCWNBAPH54

Statement completed: 29-03-2019 22:14:31

[REDACTED]

WITNESS STATEMENT**Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9****Statement of:** M P S**URN****Age (if under 18):** N/A**Occupation:**

I am the above named person and i live at the address on the overleaf of this page. This statement is regarding the incident where myself and my friend K was assaulted in the Flames Grill Havelock Road , Hastings. On Friday 22nd March 2019 i had been clubbing with my friend K. I was intoxicated and am struggling to remember the incident. From what i remember is that we left Grand Electra night club at about 0300 hours, we then attended Flames Grill kebab shop. As K entered the doorway i saw that K lightly nudged a female i know as P away from her. K and myself walked up to the counter to order some food. A few minutes later a female called N walked in. I believe her surname is . I only know this to be her surname as this is her facebook surname. I saw N talking to K. I tried to get involved in the conversation to find out why they were talking with each other. Suddenly the back of my hair was tugged and i was dragged to the floor by my hair. As i was dragged to the floor i rememberd seeing a female i know as S standing to the side of me. I then remembered someone kicking me, but i am not sure who it was that was doing this. As i was laying on the floor i could see S daughter P standing behind K at this point i did not see any assault. I remembered getting up and the people involved was gone. I had to pick up K as she was crying hysterically. The following day i felt my arm hurting and saw that i had a bruise to my left upper arm, a small cut to the centre of my forehead, this looked like a fing nail digging into my skin. I also had cuts to my knees. I have taken photographs of the bruise to my arm and cut to my head. The pictures have sent to Pc Roberts CR594 and have been printed at Hastings Police. I exhibit the photographs . I know N through K and her ex boyfriend. I know P through friends, and S is her mother. At this point i do not know what P and S surname is. i cannot remember what they were all wearing. I describe N as , at the time i think her between of age, i believe she has . I have been explained the victim personal statement and i want to say that i was intoxicated and I am struggling to rememeber the whole incident, but this has made me nervous and anxious about going out in case i get assaulted again. I did not deserve to be assaulted and i am upset that this has happended to me.

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

Signature Witness:**Date:** 13-04-2019**Witness name:**

M P S

Statement started:

13-04-2019 09:40:33

Form ID:

Doc1555144833116-95-BJNQLDQAAAWCYKCWNBAPH54

Statement completed: 13-04-2019 10:26:41

Evidence relating to
Interaction (No. 3)
dated:

3rd May 2019

1 x Police Statement

POLICE STATEMENT**Criminal Procedure Rules, r 16.2; Criminal Justice Act 1967, s.9****NICHE Ref No:** 47190070793**Statement of:** CS579, PC JAMES SWAP**Age (if under 18):** N/A

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

Signature of Witness:

CS579

Date: 15-05-2019

At 10:00 hours on Wednesday 15th May 2019 I was on duty in full uniform working out of HASTINGS Police Station crewed with PC MEPPEN CM536 in a Police marked vehicle bearing the callsign EH114 when I attended an address to meet with a female who I now know to be H [REDACTED] R [REDACTED] for a pre-arranged appointment. R [REDACTED] was the Victim of an assault reported to Police following an incident that occurred during the early hours of Friday 3rd May 2019. Sussex Police Crime Number 47190070793 refers. When speaking with R [REDACTED] I obtained a full statement regarding the incident. I was also updated by R [REDACTED] that following a follow up appointment at the Fracture Clinic at CONQUEST Hospital she was awaiting a decision as to whether or not she would need to undergo an operation in order to repair her the fracture to her left clavicle. An injury sustained as a result of the assault. When speaking with R [REDACTED] she pointed to small lump on the front of her left shoulder and stated that this was the end of her clavicle protruding through the skin. Doctors had advised R [REDACTED] that she would either be left with this lump or she would need an operation to insert a metal plate. Using my Mobile Data Terminal I accessed I took 2 photographs of the lump. These were then sent to my PRONTO Manager and upon my return to HASTINGS Police Station I printed off the 2 images. These I can produce as my Exhibit JS/01 although they do not do the actual injury justice which is a lot more noticeable when speaking with R [REDACTED] in person.

Signature of Witness:

CS579

Date: 15-05-2019**Witness name:**

CS579, PC JAMES SWAP

Statement started:

15-05-2019 13:19:30

Statement completed: 15-05-2019 13:21:31**Form ID:**

Doc1557922770632-285-BJNQLDIAAAWCVDBRLAJXPI4

Evidence relating to
Interaction (No. 4)
dated:

19th May 2019

1 x Police Statement
2 x Witness
Statements

POLICE STATEMENT

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

NICHE Ref No: 47190079978

Statement of: CM536, PC STEVEN MEPPM

Age (if under 18): N/A

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

Signature of Witness: [REDACTED]

Date: 19-05-2019

On Sunday 19th May 2019, at approximately 03:15 hours, I was on duty in full uniform with PC CM951 MONICO working as call sign EH111 from HASTINGS POLICE STATION in the county of EAST SUSSEX. At this time we were resourced to a grade 1 report of a large fight in HAVELOCK ROAD, HASTINGS. As I drove down HAVELOCK ROAD from the direction of the RAILWAY STATION towards the A259, we were flagged down by two security officers who I now know to be B [REDACTED] and D [REDACTED]. I stopped the car opposite THE BRASS MONKEY and both B [REDACTED] AND C [REDACTED] pointed towards the alleyway next to THE BRASS MONKEY that leads onto PRIORY STREET next to THE SAGA CENTRE. One of them said a male has punched both of them and had gone off through the alleyway. We were joined by SC HOVENDEN and SC CARSLAKE who were in prison van call sign EO53. They both followed B [REDACTED] AND C [REDACTED] through the alleyway with myself and PC MONICO walking closely behind. As I walked onto PRIORY STREET, I could see B [REDACTED], C [REDACTED], SC HOVENDEN and SC CARSLAKE turn right onto CAMBRIDGE ROAD next to ESK and out of sight. As I walked onto CAMBRIDGE ROAD, I could see SC HOVENDEN AND SC CARSLAKE had two males stopped outside ESK. B [REDACTED] AND C [REDACTED] were stood a few metres back from the stopped males. I approached B [REDACTED] and C [REDACTED] and asked what had happened. B [REDACTED] said that E [REDACTED] had punched him in the back of his head and C [REDACTED] said E [REDACTED] had punched him in his face and indicated that one of the males stopped was involved. Acting on this information, I approached one of the males stopped who I now know to be E [REDACTED] B [REDACTED], dob [REDACTED] and took hold of his right wrist and said "YOU'RE UNDER ARREST ON SUSPICION OF ASSAULT" I started to caution B [REDACTED] but he interrupted. I then said "I HAVE TWO ALLEGATIONS OF ASSAULT" I cautioned B [REDACTED] to which he made no reply. I then said "IT IS NECESSARY TO ARREST YOU TO PROTECT A VULNERABLE VICTIM FROM FURTHER HARM AND TO ALLOW FOR A PROMPT AND EFFECTIVE INVESTIGATION BY WAY OF QUESTIONING YOU IN INTERVIEW" I noted down the time of arrest as 03:27 hours. I placed one handcuff on B [REDACTED] right wrist while PC MONICO had control of B [REDACTED] left wrist. I went to move B [REDACTED] right wrist behind him to place the other part of the handcuff on his left wrist but B [REDACTED] tensed up his arms. I told him to stop tensing up and tried to apply the handcuff to his left wrist. This would not work so SC HOVENDEN used his handcuffs on B [REDACTED] left wrist and then joined them together. B [REDACTED] was quite broad shouldered so this technique worked to prevent any injury to B [REDACTED]. I checked them for tightness and double locked both sets of handcuffs. B [REDACTED] was quite argumentative and did not agree that he should have been arrested. He was talking to his brother in a foreign language. I now had hold of B [REDACTED] left upper arm with my left hand and my right hand was supporting the handcuffs. I said that I needed to search him and tried to move B [REDACTED] towards the van. Again E [REDACTED] tensed up so I had to use a small amount of forward pressure using my left hand on B [REDACTED] left arm to get B [REDACTED] to walk towards the back of the van. We then called up for the G4S prison van and while we waited I searched B [REDACTED] at the back of the van and

Witness name:

CM536, PC STEVEN MEPPM

Statement started:

19-05-2019 06:00:51

Statement completed: 19-05-2019 06:02:49

Form ID:

Doc1558242051855-632-BJNQLDQAAAWQEZYRMWQ7JYY

[REDACTED]

placed his belongings in an evidence bag. E [REDACTED] had some rosary beads in his left jeans front pocket which I asked if he wanted to keep them in his pocket. He said he did so I left them in his pocket. The other male stopped was E [REDACTED] brother who I now know to be A [REDACTED] dob [REDACTED]. K [REDACTED] had dried blood on his face and I could see this was a fresh injury. K [REDACTED] stated that he had been protecting his brother and that is how he got injured. The G4S van arrived and he was taken to the van by PC MONICO. I wrote down the circumstances for the G4S staff who then took E [REDACTED] off to BRIGHTON CUSTODY. I returned to HASTINGS POLICE STATION where I burnt off a copy of my BWV and marked it as my exhibit, SM/01 and placed it in the file. These are my original notes made as soon as practicable while the event was still fresh in my mind. I wrote this statement at HASTINGS POLICE STATION in the presence of PC MONICO.

Signature of Witness:



Date: 19-05-2019

WITNESS STATEMENT

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

URN

Occurrence Number: 47190079978

Statement of: E [REDACTED] E [REDACTED]

Age if under 18: Over 18 (If over 18 insert 'over 18') Occupation: Security guard

This statement (consisting of [REDACTED] 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: 19/5/19

Signature Witnessed By: [REDACTED] C0347

Statement Locked By: [REDACTED]

Tick if witness evidence is visually recorded ☐

I am writing this statement that occurred on Sunday 19TH May 2019. I have been a SIA approved security guard since November 2018 and have worked at aa variety of establishments. Tonight I was working as Bar Watch Response. This role entails myself to attend Bars and clubs in Hastings where any incidents are happening. At approximately 03:35hrs I was responding to an incident that was occurring in Hastings Town Centre behind ESK store on Priory Road, Hastings. Whilst talking to a male relating to the incident I initially responded to. Myself and my colleague heard a large amount of noise coming from Havelock Road which is approximately 100m away from my location. I would describe the noise as a mass brawl with multiple people shouting and screaming. At this point I have immediately begun to run towards Havelock Road through an alley way which is between Tesco's supermarket and a local solicitors. As I have entered the road I have seen approximately 6 or 7 males Fighting I would describe the fight as chaotic with punches and kicks being thrown in all directions. At this point my colleague D [REDACTED] and myself have identified one male being particular aggressive. I would describe this male as a [REDACTED]

Myself and D [REDACTED] have approached the male and another Door staff member I know as O [REDACTED] who were across the road from myself outside the Hastings University which is opposite the Flames Grill Kebab Shop. O [REDACTED] at this point was trying to separate the male from the rest of the group to try and break up the fight. I have approached the male and began to push the male in the chest using a flat palm with the intention of moving him

[REDACTED]

away from the area towards East Sussex College and calm the situation, Whilst doing this I have said to the male words to the effect of " LOOK FELLA TRY AND CALM DOWN, LETS GET THIS SORTED" The males attitude improved slightly after I got involved and I believed it was de-escalating and that the worst of it was over as the males friends were also trying to calm him down.

Out of nowhere the male has turned back around and sprinted towards myself and my colleagues with both fists clenched tightly, the male was also shouting at us but I do not recall what was being said.

Myself and my colleagues have attempted to get between the male and the rest of the group as at that point we believed he was trying to get back to them. The male has kicked one of my colleagues whilst shouting "YOU RACIST CUNTS!" myself and D [REDACTED] at this point have attempted to restrain the male by pushing and holding him up against the university window. The male has continued to struggle and has lashed out. The male struck with a closed fist to the back of my head, causing instant pain and become dazzled. I continued to try and restrain the male with him punching me with a closed fist a further 3 times to the head and jaw which has resulted in my upper Left wisdom tooth becoming cracked. I can produce an image of the cracked tooth as my Exhibit [REDACTED]. During this I have witnessed the male punch D [REDACTED] several times to the face and nose using a closed fist whilst still shouting but I cannot recall what was being said.

At this point the male has grabbed my hand and dug his nails in causing a small cut. I can produce 2x images of this injury as my exhibit [REDACTED]. We have continued to restrain the male for what felt like forever. I had the constant thought that the male was going to head-butt me as I was so close to him as a result of this I have placed my hand on the upper neck of the male putting no pressure on his airway with the sole intention of to prevent the male from head-butting either of us.

This has continued for several minutes with myself and D [REDACTED] deciding to release the male and back off from him to see if this would deescalate the matter. As we have done this the males friends have approached the male and begun to restrain him in an attempt to calm everything down. The male has remained extremely agitated and aggressive to anyone that approached him. The male has then managed to slip free from his friends and has approached another doorman and has swung at him using a closed fist, however I cannot be certain if this punch connected. At this point the male has disengaged with everyone and has walked through an alley between Flames Grill and The Brass Monkey Bar. As he is doing this the police have arrived. I approached police and informed them that the male had just left and was walking towards ESK. I have then gone with the officers and identified the male and which point they have stopped him and detained him.

Throughout the entire incident which lasted around 8 minutes I had my personal body worn video equipment running which I can produce as my exhibit [REDACTED]. Throughout the incident I was in close proximity to the male

[REDACTED]

MG11

and as a result would recognise him again if I saw him. the incident was on a busy high street which is well lit with few obstructions.

This event is something I deal with on a regular basis in my line of work. However this event has left me injured and possibly requiring medical treatment for a possible broken tooth. I do not go to work to be assaulted and at no point during the incident did I give permission to the male to assault me. I fully support police action and am willing to attend court if necessary.

[REDACTED]

[REDACTED]

WITNESS STATEMENT

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

URN

Occurrence Number: 47190079978

Statement of: D [REDACTED] O [REDACTED]

Age if under 18: Over 18 (If over 18 insert 'over 18') Occupation: Event Manager

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: [REDACTED]

Date: 19th May 2019Tick if witness evidence is visually recorded ☐

I am the above named person. I am employed by P [REDACTED] S [REDACTED] working on behalf of Hastings Business Investment District. I have worked for P [REDACTED] S [REDACTED] since June 2016. My main role is a licence door supervisor for BAR WATCH in HASTINGS town centre.

On Sunday 19th May 2019, I was on duty in HAVELOCK ROAD, HASTINGS. At approximately 0320 hours, I was on the phone to the Police regarding a previous assault which had taken place outside YATES'S in ROBERTSON STREET, HASTINGS. Whilst on the phone I was at the rear of the ESK car park following the male who had assaulted someone outside of YATES'S. My colleague and I followed him under the underpass going towards HAVELOCK ROAD. The male at this stage was running away from us. Once I got past the underpass I noticed approximately 15-20 people fighting outside of the University building. This was directly opposite FLAMES GRILL and BRASS MONKEY on HAVELOCK ROAD. My colleague and I ran over to help the other door staff who were involved and tried separating the parties. Myself and my colleague B [REDACTED] were trying to deal with the main aggressor by pulling him away from the situation. Within the struggling, I saw the male punch B [REDACTED] to the back of the head several times. When I tried to restrain his right arm, the male punched me to the face with his right hand. He had a clenched fist and struck me with reasonable force. The male struck me to the mouth. His knuckles caught me to the bottom of my nose. It now feels like a dull ache. The male was grabbing with B [REDACTED]. Some of the male's friends then got involved and were trying to pull the suspect back. I then told B [REDACTED] to back off which we did. The aggressor then started to come towards us again, so we stepped back into the road. At the time, the aggressor had four or five his friends trying to hold him back from another male. The aggressor's mother or grandmother attended and the male went to punch her and then realised who it was. The aggressor then pointed at B [REDACTED] and was shouting. He called B [REDACTED] a 'racist'. I then pulled my phone out of my pocket and didn't realise that I was still on the phone to the Police. The Police asked me to keep an open line so they could hear what was happening. We followed the aggressor who was with one other male from a distance. The Police then arrived. I pointed the Police to the individual who at this point had walked around to the front of the ESK Store in CAMBRIDGE ROAD, HASTINGS. The Police then [REDACTED]

[REDACTED]

[REDACTED] spoke to me regarding the incident and shortly after arrested the male. The male aggressor was with another male who he said was his brother. The male said that his brother had been assaulted. I could see marks on his face and asked him if he wanted to go and see the medical team at SAFE SPACE but he refused.

I would describe the main aggressor as a male with a [REDACTED]. The male was [REDACTED]. The male was wearing a [REDACTED].

I would describe the aggressor's brother as a male with a [REDACTED]. He had a couple of grazes on his nose and above his right eye. I do not recall his clothing or footwear.

The whole incident lasted five to ten minutes. At my closest point, I was in physical contact with the male. The visibility was good due to street lighting and lights from FLAMES GRILL and other shops. There were no obstructions. I do not know the males name and have never seen him before. I would recognise him again.

The incident was recorded on my body worn camera, and can be downloaded and passed onto the Police if required.

Nobody was given permission to assault me at any point. I am happy to support Police action in this matter and attend court if necessary. [REDACTED]

Evidence relating to
Interaction (No. 8)
dated:

11th August 2019

1 x Police Statement

WITNESS STATEMENT

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


URN

Occurrence Number: 47190135378

Statement of: CIARAN GAYMER

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: POLICE CONSTABLE EA169

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:  #EA169 GAYMER, C.

Date: 04/01/2020 09:50

Tick if witness evidence is visually recorded ☐

On Sunday 11th August 2019 I was on duty in full uniform as part of a double crewed mobile patrol unit where for the duration of my shift I was crewed with PC KIMBER CK127.

On that date I was asked to attend [REDACTED] in HASTINGS following a call from D [REDACTED] G [REDACTED] reporting that her daughter D [REDACTED] D [REDACTED] had been attacked during an altercation outside of FLAMES GRILL on HAVELOCK ROAD, in HASTINGS.

Myself and PC KIMBER attended the address where we spoke to G [REDACTED] here she told us how she had been out in Hastings town centre on the evening of Saturday 10th August 2019 where she had attended WHETERSPOONS and GRAND ELEKTRA. As G [REDACTED] evening came to an end she attended FLAMES GRILL to get a kebab before getting a taxi to her home address. G [REDACTED] stated to me that whilst she was standing outside of FLAMES GRILL there was a verbal altercation with a female she knows to be S [REDACTED] D [REDACTED] where G [REDACTED] has been repeatedly punched in the face and kicked whilst G [REDACTED] was trying to get into the taxi to go home, this assault caused swelling to G [REDACTED] face.

Following hearing G [REDACTED] account, upon me asking what she wanted to be done about the matter she informed me that she did not want to provide an evidential statement and she was happy for D [REDACTED] to be spoken too and for the matter to be finalised.

I have then attended S [REDACTED] D [REDACTED] address to speak to her about the matter where she has informed me that she was in a verbal argument with G [REDACTED] however it was clear that D [REDACTED] had sustained swelling to her upper lip, D [REDACTED] stated this was from where G [REDACTED] had punched her in the face however D [REDACTED] did not want to provide a statement or do anything about this matter.

[REDACTED]

MG11

[REDACTED] stated that the argument instigated inside of FLAMES GRILL, Kebab HOUSE which then carried on outside of the establishment where the situation has escalated and violence has been displayed.

This statement forms part of my original notes.

[REDACTED]

Evidence relating to
Interaction (No. 9)
dated:

30th August 2019

2 x Police
Statements

OFFICIAL Sensitive (When completed)

MG11

WITNESS STATEMENT

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

URN

Occurrence Number: 47190147120

Statement of: CHRISTOPHER AMBROSE

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

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: #CA311 AMBROSE, C.

Date: 30/08/2019 08:02

Tick if witness evidence is visually recorded ☐

On Friday 30th August 2019 at about 0400hrs I was on uniform patrol in Hastings answering to the call sign EG82 (Echo Golf eight two), I was in company with PS Thorpe C1069. Along with two other units we attended a fight in Havelock Road, Hastings that was reported to involve a large number of people. As we were on route the Police CCTV operator was describing what was happening and they stated that they had seen a male in a white T-shirt with a black square on it through a female to the floor and that a fight had then broken out between this male and another. As we arrived I saw PC Williams CW498 giving chase to a male in a white T-shirt who had run towards Priory Square. I drove around the block to try and cut this male off, but PC Williams had quickly caught him and returned him to Havelock Road. PS Thorpe and I went to Flames Grill where I could see a male in black jeans and a top that was dark blue with a red stripe and white shoulders being pulled into the shop and the doors of the shop shut and locked behind him. The CCTV operator stated that the male I had seen being taken into the shop had been repeatedly punching the male in the white T-shirt in the face whilst he had been laying on the floor. I suspected that he had been taken into the shop to prevent the police from speaking to him. I was aware that there was a rear entrance to the shop and so I walked down the alley next to Brass Monkey and saw the male in the alleyway at the rear of the shop. I invited him back into Havelock Road and the CCTV operator confirmed that from the footage that they had seen that he was the male who had punched the other male in the white T-shirt. He stated that he was A. K. and provided his driving licence as identification. As he was talking to me I could smell intoxicating liqueur on his breath, he was unsteady on his feet and I formed the opinion that he was drunk. At 0417hrs I said to K. "I am arresting you on suspicion of assault occasioning actual bodily harm.", he was cautioned to which he made no reply. His arrest was needed as he was too drunk to be formally interviewed in relation to the incident and because I feared that if he remained in town the friends of the other male might seek retribution against him. He was placed in the rear of the police car, he was not handcuffed. As I moved into the light I could see that he had a split lip and

that his right eye was blood shot and weeping.. He was conveyed to Eastbourne Custody where his detention was authorised. At about 0500hrs on the same date I took four digital photos of K showing what he was wearing from four different angles, I did this to aid identifying him on the CCTV footage which may prove or disprove his involvement in any offences. I can produce these four photographs as my exhibit CSA/1. K was placed into a cell and I had no further dealings with him.

This statement forms my original notes made at 0800hrs on Friday 30th August 2019 at Hastings Police Station.

WITNESS STATEMENT

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

URN

Occurrence Number: 47190147120

Statement of: ADAM WILLIAMS

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

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:  #CW498 WILLIAMS, A.




Date: 30/08/2019 08:39


Tick if witness evidence is visually recorded ☐



On Friday 30th August 2019 I was on duty in full on mobile patrols in a marked police vehicle call sign EH111 in the company of PC JORDAN EA108. As a result of a call via personal radio we attended Havelock Road Hastings to reports of 20 persons fighting at the location. CAD 0209 refers to this incident.

Whilst making our way to the location information was passed that the main suspect to this incident was a white male with blonde hair, who was wearing denim jeans and a white t-shirt with a black square upon it.

As we approach the location I around 0407 hours I saw a group of males and females gesticulation at one another in a heated fashion.

As we pulled up alongside the group they started to disperse with a small amount of them were still been confrontational, I then saw a male who I would describe as  wearing a white t-shirt with a black square upon on and denim jeans, I now know this male to be . Upon seeing police  has started to walk of between the building just up from the brass monkey which leads to Priory Square.

PC JORDAN and I have then detained  and I have then placed him in handcuffs, as I handcuffed him I saw that he had a cut to his right thumb; I then informed him he was been detained on suspicion of affray and an assault as he had been identified by CCTV to be involved an a large altercation and hitting others. This was at 04.09 hours.

Further units then arrived at the location and started to speak with the remaining persons present at the location, I was also aware that PS AMBROSE and PS THORPE had detained another person down the road and CCTV operator confirmed that he was involved in an altercation with  and had been seen hitting . I was aware that this male was arrested for his involvement.

There were two other males present at the location who I also detained until CCTV was reviewed, once this CCTV was reviewed and these further two suspect eliminated they were both released and asked to leave the area. I then spoke with

[REDACTED]

PC BLICK I was made aware that this incident had occurred following [REDACTED] and his partner been involved with a domestic altercation whereby [REDACTED] has thrown his girlfriend [REDACTED] to the ground and had dragged her long the pavement. This information was passed by a female witness who saw the incident.

[REDACTED] was shouting down the road at [REDACTED] she wasn't making any allegation, [REDACTED] was shouting some kind of abuse back at her.

Due to this new information I approached [REDACTED] at 04.21 hours and I said to him "I AM ARRESTING YOU ON SUSPICION OF DOMESTIC ASSAULT AS YOU HAVE BEEN IDENTIFIED GRABBING AROUND THE NEXT AND DRAGGING HER ALONG THE GROUND" I then fully cautioned him and explained the necessity for his arrest.

[REDACTED] was then placed in the rear of my marked police vehicle and conveyed to Eastbourne Custody Centre, whilst en-route to Eastbourne [REDACTED] complained about the hands digging in as he was handcuffed to the rear. Due to this I stopped the vehicle and moved the handcuffs from the rear to the front of his body checked them for tightness and double locked them.

Upon arriving at Eastbourne Custody Centre the facts were relayed to the custody sergeant who authorised his detention.

These are my original notes made as soon as practicable after the event.

Evidence relating to
Interaction (No.10)

dated:

13th September 2019

1 x Police Statement

WITNESS STATEMENT

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

URN

Occurrence Number: 47190209879

Statement of: Richard Louis James WILKES

Age if under 18: over 18 *(if over 18 insert 'over 18')* Occupation: Police Officer - CW456

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:  #CW456 WILKES, R.

Date: 13/12/2019 13:28

Tick if witness evidence is visually recorded: ☐

I am a Prevention Licensing Police officer on East Sussex Division and have worked in this role for 9 years. For the past couple of years I have worked in this capacity in the Hastings and Rother area. At approximately 14:30 hours on Friday 13th September 2019, I was on duty in Hastings town centre and accompanied by Licensing Officer Cathie Daniel when I attended the licensed premises called FLAMES GRILL, which is a take-away/late-night refreshment business located in HAVELOCK ROAD, HASTINGS.

The purpose of the visit was to speak to management/owners and ascertain why there had been an increase in incidents of crime and disorder at, or connected to, the premises on Thursday nights into Friday mornings (student nights) particularly between 02:30 - 04:00 hrs on Friday mornings.

Thursday nights into Friday mornings often present more of a challenge to the licence holders and staff in containing alcohol related crime and disorder, as there are fewer targeted police patrols and reduced resources compared with Friday and Saturday nights. In addition, the BCRP Security patrol known as the MSU (Mobile Support Unit) provided by Phoenix Security do not operate on Thursday nights, there is a reduced number of door supervisors working at nearby licensed premises on Thursday nights compared with the weekend and there are no taxi marshals at the Havelock Road rank opposite FLAMES GRILL.

On entering FLAMES GRILL, the premises licence holder, Mr Caglar KANIK, was not present, so we spoke to a male called Mr A. K. in the presence of an older female who identified herself as his mother. K. stated that the premises was a family business which he helps to run with his brother Caglar KANIK. He advised us that his brother had a Door Supervisor's licence and he acknowledged that Thursday nights presented a difficult challenge as the premises gets very busy, particularly after 02:00 hrs on Friday mornings and they only have 1 door supervisor working at the premises

[REDACTED]

called "O[REDACTED]" from "Karma" Security. He added that a lot of the drunken customers cause problems at his premises and although he was aware that he could refuse service to customers he felt that sometimes this can cause more difficulties and create situations that were too much/too busy for one door supervisor to effectively manage and control.

A[REDACTED] K[REDACTED] confirmed that a couple of weeks ago, during the early hours of Friday 30th August 2019 he was arrested by police outside of his premises having left the counter to go and intervene in a domestic incident where a man was hitting a woman. He explained that when he had tried to help, he was struck in the face and sustained a scratch to his cornea, from which his sight continues to be affected and for which he is still taking medication. In retaliation for being struck he immediately reacted and hit the suspect back. He was arrested but subsequently no further action was taken once the CCTV of the incident had been viewed.

To assist the situation on Thursday nights and when it is busy in his premises, A[REDACTED] K[REDACTED] stated that he planned to obtain his own Security Industry Authority (SIA) door supervisor's licence so that he could sometimes work as a door supervisor in support of "O[REDACTED]" from Karma so they have more than one door supervisor on duty and to also work in that capacity when "O[REDACTED]" is not working at the premises. A[REDACTED] K[REDACTED] advised us that once he had obtained his door supervisor's licence, he would update us at Hastings Police Licensing.

I reminded K[REDACTED] that the door supervisors working at the premises must have their badge/licence clearly displayed when they are working in that capacity. I also pointed out to him that it is highly advisable not to leave his business premises to go and intervene in incidents, violent acts, and drunken fights on the street outside but should instead observe, try to keep himself, his staff and customers safe, and to call the police.

I subsequently recorded details of the visit on the Police Innkeeper system. This statement was made from my original notes which were recorded as soon as practicable after the event whilst still fresh in my mind.

[REDACTED] PC aw436 WILKES.

Please quote: DCQ/19/00163 /SAR

Your Reference:

Date: 23 December 2019

Please ask for: Mr Simon Richard

Telephone direct: (01424) 783320

Email: srichard@hastings.gov.uk

Web: www.hastings.gov.uk/planning



Development Management
Muriel Matters House, Breeds Place
Hastings, TN34 3UY

Licensing, Hastings Borough Council
Muriel Matters House
Breeds Place
TN34 3UY

Dear Sir/Madam,

Enquiry Number: DCQ/19/00163

Subject: Review of premises of licence application

Location: Flames Grill, Restaurant and Premises, 19 Havelock Road, Hastings, TN34 1BP

Initial Planning Permission for A3 (Food and Drink) use was granted in 2001. There is no record of planning permission being granted for A5 use (hot food takeaway) however, I understand that Flames Grill has been operating as a takeaway for a number of years and as such it may benefit from deemed consent. To clarify this, an application for a Certificate of Lawfulness of Existing Use may be submitted along with evidence that the use has continuously operated for a period of 10 years or more.

With regard to the forthcoming premises license review we have no further comments.

Yours faithfully,

Simon Richard
Planning and Asst Conservation Officer



